

Mr. Clanny's Character:

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A Just and True Narrative of the Processes, led
against Mr. *Hugh Clanny*, late Minister of
Kirkbeen, by the *Synod* and *Presbytrie* of *Drum-*
freis, Extracted forth of the Records thereof.

Together with

Some *ANIMADVERSIONS*, for a more full Illustration of
Particulars therein contained.

To which is subjoined,

An *APPENDIX*, or Brief Reply to his *Defamatory Pamphlet*, lately e-
mitted against them.

Published by the *Presbytrie* of *Dumfries*, at the Appointment of the
said *Synod*, for their Vindication.

Titus i. 7, 8. *A Bishop must be Blameless, as the Steward of GOD; not self*
Willed, not soon Angry, not given to Wine, no Striker, not given to filthy Lucre;
But a Lover of Hospitality, a Lover of Good Men, Sober, Just, Holy, Tem-
perat.

Proprium Objectum Censuræ Ecclesiasticæ, est Scandalum datum a Fratre; Finis e-
nim Disciplinæ, est per Correctionem Peccantis tollere Scandala, ut Fideles Inoffenso
Pede in Cursu Pietatis pergant, & alii ad eandem viam alliciantur, offendiculis
impedientibus e medio sublatis. Amef. de Conf. Lib. 4. C. 29. Q. 2. R. 4.

Printed in the Year 1699.

To the Reader

TH E sinful Lapses of Christians, especially high pretenders to Religion, and most of all, of the *Ministers of the Gospel*, have been extremely stumbling in all Ages of the Church, our own not excepted; And what indeed can be more provoking in the sight of a Holy God, or grievous to His people? What hath a greater tendency to promote *Atheism*, encourage *Vice*, and harden the Enemies of our Religion in their *Different errors*, than the scandalous Lives of persons, who are eminently obliged by the *Light* of their Conversation, as well as Doctrine, to *shine* before Men, to be the *Salt* of the Earth, to behave themselves as the *Ambassadors* of Jesus Christ, and as the *Angels* of the Churches?

The design of these ensuing Sheets, is to *Vindicate* the Synod and Presbytrie of *Drumfries*, from the calumnious Reflections, which a deposed Minister in our Bounds, hath in his late *Virulent Pamphlet* cast upon them and us. All thinking Men, would have expected that Mr. *Clanny*, Judging himself lesed by these Judicatories, would have Printed their Preceedings after another manner; for instead of a just Extract of the Processes led against him, as they stood in their Registers (which, if he had truly designed that Men should *Believe* him, he ought to have distinctly Answered, and done his best to elide by *sound Reason*) he emits an Account of the whole Affair from his own prejudicat mind and Memory, and frames Answers to his own Narratives; A thing which few venture to do, but such as are ashamed of the naked verity, and manage a desperate Cause by any sort of Method that may palliat their Guilt. Upon this account we find our selves obliged to give the World a more certain and fair (tho materially black enough) Relation of things concerning him. We are Heartily sorry for the Cause of this, but except we had tamely suffered him, not only to Trample on our Reputation, but the Interest of Religion, and the Authority wherewith the Lord hath invested us, we could have done no less: That it was not done sooner, was occasioned by our waiting for an Appointment from our *Reverend Synod*, who meeting *October* last, judged it convenient to enjoin the Presybtry of *Drumfries*, in their Name, to print the ensuing Processes, and left it upon us to prepare a short Answer to his Book, as we should see expedient.

It may be, and is Objected, That we did proceed too *Summarly*, and *Precipitantly* against him; might we not have observed all the Regular Steps, and so prevented a great deal of Clamour? To this it is Answered, That our only design was, to remove the *Odium* cast upon, and the Offence taken

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against the Ministry by our too long Forbearance in that Affair ; For the Rumor of his Scandal arose (and was then told him) before he went to *Edinburgh*, and became so Flagrant, during his Six Weeks absence, that we had scarce Confidence to set forth our Heads ; it being the common talk of our misled *Dissenters*, and many others through their Influence, *Honest Mr. Hepburn must be persecuted, but they can keep Adulterers among themselves ;* And when Mr. *Clanny* returned Home, severals of his own Charge affirmed that till that Offence were removed, they could not be edified by his Ministry.

The Presbytrie therefore thought fit, to lay him aside from the Exercise of his Office, (till he cleared himself, and so) not so much by Way of *Censure*, or Punishment, as that they considered it, to be a *Convenient Medium* in that Juncture, for rendering both his, and our Ministry acceptable and edifying to our Hearers. This was truly our *Inducement* ; and perhaps it would have moved more Judicious Men, in our *Perplexed Circumstances*, to do the like ; And if Mr. *Clanny* had Complied with what was so done, and Vigorously Pursued for a Just and Speedy Tryal, we are confident, it had been more to the Advantage of his Cause, and for his True Honour and Credit ; But now he Rages mightily, and Brands us as his Enemies, yet we are not Conscious of any *Pique*, or *Malice* we ever had at his Person, nor could he prove any such thing, which undoubtedly he would have done, on many Accounts, if it had been possible for him.

Let it not then be conceived, that from any *Sinistruous Design*, we Greedily Snatched at an Occasion of Stageing him before us ; For albeit, through the former Course of his Ministry, he had given too much Ground of Offence ; yet did we Exercise Lenity, almost to an Excess, towards him. Take but one Instance, with respect to this, as it stands in the Presbyteries Register, *July 19th. 1689.* about a year and a half after his Ordination, as followeth ; "The Brother absent at the last Meeting, to whom one of the Minuts hath a Reference, being this day present, was seriously spoken to, anent that Report, which went abroad concerning him, and he desired to give a Candid Account thereof, which accordingly he did ; And finding it obvious, that his Practise was culpable and reprehensible, as he himself did humbly and seriously acknowledge : Therefore, he was gravely reprov'd and Admonish'd, to Watch warrily over himself, in his after Walk and Way.

Such, you may perceive, was the Gentleness used towards him, that his Name was then concealed, but now we judge it our Duty to declare, that Mr. *Clanny* was the Man ; And the Scandal to which this Passage relates, was of his Light Behaviour, when in Bed, towards *Thomas Smith* in *Newabbay*, his Wife, as we are certainly Informed, which being Divulged by her,

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her, made a great *Noise* among People. Many other things Dissatisfying, were Discerned in his Way, which caused some sadly fear, what is now come to pass: So that his Unministerial Practices, but too Habitual, rendering him a Man of a *Tainted Fame*, we were obliged to take Stricter Measures with him, than Ministers of an *Unblemished Reputation*.

The Reverend *Synod* judging it requisite, to insert some Remarks upon these Parts, or Expressions in the Processes, which were more obscure, especially to Strangers, who had not the Opportunity to be Informed of the respective Circumstances, (for every thing of that Nature could not easily have been Described) we have endeavoured all the Clearness and Brevity therein, that such Particulars could admit of, by Way of *Margin* or *Commentary*: And albeit we be abundantly satisfied, that his Malicious Manner of Writing the foresaid Book, is a sufficient Confutation of it, to any Intelligent Reader; Yet, lest the Weak and Injudicious be Imposed upon, or Ill Men Glory over us, we thought it proper, in a few Words of an *Appendix*, to Wipe off the Base Aspersions, wherewith it is Stuffed, whether on Judicatories, or particular Persons.

To conclude, We shall only wish, that what we have Written with a *Good Intention*, and (as we hope shall be found) with a Temper of Mind, remote from *Carnal Passion*, may be Candidly Accepted, may Contribute to our Designed *Vindication*: And, if it would please the LORD, even to the *Reclaiming* of him, with whom we deal, to the Glory of that ever Blessed Name, whose Gospel we Profess and Predicat, and the *Rational Satisfaction* of all Persons concerned in this Affair. This, in Name, and at the Appointment of the said *Presbytrie*, is Subscribed by

Thy Sincere Well-Wisher,

and Servant in the Lord.

JO. HENDERSON *Moderator.*

*A C T of the Synod of Drumfreis, appointing
Mr. Clanny's Processes to be Printed.*

At Drumfries the 13. of October 1698. Post Meridiem.

THe Synod considering Mr. Clanny's printed Pamphlet and Papers Reflecting upon them ; Thought fit, that a True and Exact Narrative of his Processes before the Synod and Presbytrie of *Drumfries*, relative to his Scandals, should be printed and published for their Vindication. And therefore Appointed, and hereby Appoints, the foresaid Processes to be printed, with *Animadversions* thereupon, and on his printed Pamphlet and Papers ; And that (if possible) betwixt and the next Assembly : And the Presbytrie of *Drumfries* to prepare these Papers for the Press. But they are to publish these Reflections on the Processes and Papers, in their own, and not in the Synods Name. *Extracted forth of the Records of the said Synod, by*

PETER RAE, *Cls. Syn.*

*An Extract of Mr. Hugh Clanny's Processes before
the Presbytrie of Drumfries; the First whereof
relates to his alledged Adultery with Elspet
Dickson; The other to his Drunkenness, and o-
ther Misbehaviours.*

DRUMFRIES, July, 23, 1696.

Post Preces Sederunt, Mr. Robert Paton Moderator, &c.

UPON a fama clamosa of Adultery betwixt Mr. Hugh Clanny Minister of Kirkbeen, and Elspet Dickson (now in Tenglund) sometime Nurse to his Child (a); The Presbytrie appoints a Letter to be written to him by the Moderator, desiring him to be present the next Presbytrie day, in order to his Vindication. And in the mean time appoints Mr. William English and Mr. James Guthrie (it being laid on Mr. English to take one of his Elders with him) to Correspond with the Presbytrie of Kirkcudbright to meet there upon Tuesday come Eight days, who (with such of their Number as that Presbytrie shall Appoint to be a Quorum for that effect) are to Examin the said Elspet Dickson, and make Report of their diligence. (a) At this time Mr. Clanny was at Edinburgh.

DRUMFRIES the 11th of August, 1696.

Post Preces Sederunt pro re nata, Mr. Robert Paton Moderator, Mr. William Vetch, Mr. William M'Millan, Mr. William English, Mr. Andrew Reid, Mr. James Guthrie, Mr. John Henderson and Mr. Robert Lawson, with, James Shortrig, Homer Gillison and Gavin Steel, Ruling Elders. Absents, Mr. John Reid and Mr. Robert Brown.

IN regard that Elspet Dickson, with whom Mr. Hugh Clanny Minister at Kirkbeen is Slandered, is now in Town (she being sent from the Presbytrie of Kirkcudbright to this, to be examined anent that Scandal, which has been so long delayed) it was thought fit to call a Presbytrie *pro re nata*, Mr. Hugh Clanny, the Partie concerned, and all the other Brethren being expressly advertised. Viz. By a Letter from the Moderator.

The

The Correspondents sent from this Presbytrie to *Kircudbright* make Report of their diligence in the examination of *Elspet Dickson* by that Presbytrie, as the Extract of their Minute thereanent more fully bears; The Tenor whereof follows.

“ At *Kircudbright* the 6th of *August*, 1696 Years. *Elspet Dickson* being
 “ Cited and Called, Compeared; And being Interrogat, who was the Fa-
 “ ther of her Child? Answered, *James Anderson* in the County of Down.
 “ Being Interrogat where the Child was Begotten? Answered, In *Kirkbeen*
 “ Paroch, as he passed by. Being Interrogat if *James Anderson* was in Mr. *Clan-*
 “ nys House? Answered, No. Interrogat, If she would Swear that he
 “ was not there? Answered, Yes. Interrogat, If Mr. *Clanny* came that
 “ way, as he came from the Synod of *Wigtoun*? Answered, Yes. Interro-
 “ gat, If he came down from his Horse when he was at her House? Answered,
 “ ed, He did. Interrogat, if there was any with them when they were
 “ together; Answered, *There were some in their sight but none could hear them.*
 “ These are Extracted forth of the Minutes of the Presbytrie upon the day, Month
 “ and Year foresaid, by (sic subscribitur) *W. Faulconer Clerk to the Presbytrie.*
 “ The Presbytrie approves the Correspondents their diligence.

The Moderator, conforme to appointment, wrote to Mr. *Clanny*, and advertised him of this Diet: And he signifying by his Letter, that he could not attend by reason of his (alledged) *Sickness* (tho the Presbytrie had ground to suspect the Reality of it.) They did proceed to Examine the foresaid *Elspet Dickson*; Who being called, Compeared, and being Interrogat by the Moderator, who was the Father of that Child she had in her Armes? Answered, *Mr. Hugh Clanny Minister at Kirkbeen.* Interrogat, if she was caused to say so, by any other person, or from Envy or Malice? She Answered, No. Interrogat in what Place the Child was begotten? She answered, *In Mr. Clanny's Kitchen when she was there alone.* Interrogat, how that could be Probable, seeing her Mistress would be in the Hall, and so near unto them? Answered, *she thought to her best Rememberance, her Mistress was Sick at that time.* Interrogat, if he had any Discourse with her before the alledged Act? Answered, *not moch.* Interrogat, if he lay with her oftner than once? Answered, *That he did it many times.* Interrogat how she went from *Kirkbeen*? Answered, *That she told Mr. Clanny before she went out of his House (which was this Year, after Newyears day) that she was with Child to him.* Interrogat, if she was conveyened before the Session of *Kirkbeen*, before she left that Place? Answered, No, But that he gave her his Certificat, which she has to produce, and bid her go to Ireland, if she could win; And that he gave her Four half Crowns before she went away: And that his Servant *Richard Gibson* (by his Consent)

Before the Presbytrie, &c.

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Consent) carried her Cloaths in Company with her, to the Water of Orr, and that, That day Mr. Clanny went on his Journey to Kirkmahoe, as she thought the Place was called. Being Interrogat, if he spoke with her in Tongland, and on Horseback or not? She Answered, That he both spoke on Horseback, and when he alighted at the Door, where he gave her half a Crown. And Interrogat, if she received from him there any Gold, or if he promised her any more Money? Answered, That she received not Gold, but he promised her more Money, when he came over to Ireland; Interrogat, if he Spoke to her within Hearing of others? She Answered, No. Interrogat, what he said to her? Answered, That he bade her go to Ireland, and that his House would be Ruined, if she told of it: And likewise, that (when she Spoke to him of the Baptism of her Child) he bade her say, that the Childs Father had been Travelling these Sixteen Years between Ireland and Scotland, or England, not being well remembered which of the two. Being also Interrogat, who that Man James Anderson was, whom she frequently owned as the Father of that Child, when Examined by the Presbytrie of Kirkcudbright? Answered, That she never knew such a Man, but only that she Invented his Name for a Shift. Being Interrogat, when she was brought to Bed of that Child? Answered, On the Eighteenth of May last. Being Asked anent the time, when he first lay with her: Answered, A little while after Lambmas 1695. Being Interrogat, if he Kissed her when alone? Answered, That he did so sometimes. Interrogat; if he lay with her any other where, then in the Kitchen? Answered, That he did it sometimes in the Barn, when there was both Corn and Bear in it, Unthrested. Being Asked, how it came to pass, that she told not this before? Answered, That she kept it too long in her Mind, but it was because he was a Minister of the Gospel. Being Asked, If she had Carnal Dealing with any other Man, since she first knew him Carnally? Answered, No: And that she would never have Fathered her Child upon him, if she had had any other Father to it. All which being Read over again in her Hearing, and Interrogat, if she would Own and Adhere to this Confession, in Mr. Clanny's Face, and in the Face of Death; She Answered, that she could, and would go to the Death with it.

The Presbytrie, with much Sorrow and Regrate, Taking to their Consideration the foresaid Confession, Recommends the Woman to the Magistrat, to Secure her in Prison: And considering the Flagrancy of the Scandal, whereby the Ministry here hath been, and is exceedingly Reproached, and to Stop the Mouths of many, who Brand them with Rigor and Severity against others, and Partiality towards him, (b.) have thought it necessary, in such a Juncture, (till they be afterwards satisfied of his Innocency)

(b.) By this the Presbytrie did not intend any Censure, or Punishment of Mr. Clanny; but only because of the Vehement Flagrancy of the Report, that was then going of him & Elspet Dicklon, and the Extreme Stum-

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bling, that his Continuance in his Charge, would have occasioned through the whole Countrey, they therefore, did Discharge him to Exercise his Ministry for a time, until he might clear himself of that Scandal, which is all the Presbytrie intended by this Act.

cency) to Suspend, and hereby do Suspend the said Mr. Hugh Clanny Minister of Kirkbeen, from the Exercise of his Ministerial Function, ay and while he Vindicat himself from; or give Satisfaction to the Brethren, and People of GOD Scandalized, for his alledged Adultery. And appoints the Moderator, next LORDs Day, to Preach in Kirkbeen, and Intimat this their Sentence Publickly, and Cite Mr. Clanny from the Pulpit, to appear before the next Presbytrie, which is to be held at Drumfries the twenty sixth of this Instant, in Order to his Vindication from what Elspet Dickson Charges him with. And allows the Moderator an Extract of this Act for his Warrant, and to Report his Diligence the next

Meeting: And in the mean time, he is to Advertise Mr. Clanny hereof, by a Line with his first Convenience.

D R U M F R I E S, the 26 of August 1696.

Post preces sederunt Mr. Robert Paton Moderator, &c.

THe Moderator makes report that he preached at Kirkbeen, and after Sermon cited Mr. Clanny conform to appointment.

Elspet Dickson being called, compeared, and her former Confession of her alledged Adultery with Mr. Hugh Clanny Minister of Kirkbeen, being Read, and she Interrogat, if she Adhered thereto; She Answered, That she did Adhere to it in all its Articles. Whereupon Mr. Hugh Clanny being called, compeared, and the Moderator signified to him, That the occasion of his Appearance before them in this Manner, was to their extream Grief and Sorrow; Viz. That he was Slandered by that Woman, with whom he was Confronted, as Guilty of Adultery with her, conform to her Confession: Which being Read over in his Hearing, and he Interrogat upon the several Articles thereof, one by one. He Answered, That she was a vile Strumpet, and that all these things were Notorious Lies; But she affirmed in his Face in the Reading of every Article, That they were true. Upon the Article anent the Money, he acknowledged that he gave her Fifteen Pound, as a part of her Fee, which his Wife could Testify, being given before her, and half a Crown, and a Fourteen at Tongland; But she replied, That his Wife saw him give her only Six Pound Scots: And added, That he laid the Four half Crowns and her Testificat in his Chamber Window, and bad her go up & take them. Mr. Clanny being asked, if he would bide be it, That his Wife saw the foresaid 15 l. given to the

the said *Elspet*; his Answer was not so positive: And Interrogat, if he gave her a Certificat before she went away; Answered, *He gave her none*: And the Moderator shewing him, That it would be produced in his own Writing: He replied, That another might *Counterfit his Hand*. He acknowledged likewise, That he alighted at *Tongland*, and spoke to her there, and that some were within hearing, or at least within sight of them, who might have Heard. Being asked, if she told him before she went away from his House, that she was with Child to him; *He denyed the same*: And the Moderator inquiring, if he was now ready to give his Oath upon that Head, *He refused to do it*.

Both parties being removed (Mr. Clanny before he went out having given in a Paper, which he called an *Appeal*;) The Presbytrie discoursing the Affair, thought fit to call him in, having appointed the Moderator to lay the Matter home *Freely and Candidly* to his Conscience, That if he were Guilty, he might Glorify GOD by an *Ingenuous Confession*: Which when the Moderator had done; He returned, that *He Blessed GOD he was Innocent*, but the Presbytrie had not taken GOD's Methods with him, and that all the Brethren had a *Pique* at him. And the Presbytrie withall, considering that by an Act of the General Assembly of this Church, *Anno 1694. April 6. Session 7. No Appeals* could be admitted, if not given in *within Ten Days after Sentence*: And also, That the foresaid Paper was not given in *within the said time*, it was voted, that it could neither be Read nor *sustained as an Appeal*; whereupon the Moderator returned it back unto him.

Furthermore, The Moderator making Report, that after he had publicly Intimat the Presbyteries Act of Suspension in *Kirkbeen*, Mr. Clanny stood up before the Congregation, and most Injuriously Reproached and Reflected upon the Presbytrie in the following Particulars: *Viz.* He publicly told the People, That the Brethren that Suspended him, were but *Five* in Number, and no *Ruling Elders*; whereas truly, there were *Eight* Ministers and *Three* Elders. And particularly, that Mr. *William Millan*, Mr. *Andrew Reid*, and Mr. *John Henderson* were absent (*), whereas they were all three Present. He said to the People that *Elspet Dicksons* Confession was fraudulently extorted from her by some of his Brethren, who bad her Confess, for Mr. Clanny had Confessed already: He likewise said publicly, That God would be avenged on his Brethren for their proceeding against him; And that an Imperious Presbytrie was Equivalent to a Lordly Bishop. And now, Mr. Clanny being Charged with these things, & enquired at, how he came to utter such lying Calumnies and Reflections upon the Presbytrie, and that so Publicly before a Congregation of People, and so rashly, without any certain Intelligence

(*) See the Session-runt. Pag, 7.

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ligence; He Answered, that *he said so before the People, because he was told so by others*; which the Presbytrie Judged a very weak and frivolous shift.

AND MORE OVER, Upon an Information of Mr. Clanny's being guilty of *Drunkenness* at several times, and particularly in *Adam Grinlay* in the Glen of *Newabbay* his House; and the said *Adam* and his Wife being this day Providentially in Town, and now upon notice given them, Comparing, and both of them being purged of Malice and partial Counsel, and Solemnly Sworn in presence of the said Mr. Clanny (who said he could Object nothing against their being admitted Witnesses in this Scandal) The said *Adam* deponed, that Mr. Clanny came to his House, from *Drumfries*, upon a certain Night after *Harvest* 1695. and that *he was Drunk* as he thought. *Margaret Briggs*, the said *Adam Grinlay's* Spouse, being interrogat, Deponed that he was concerned with *Drink*, tho he made some Family Prayer.

Upon which, all parties being removed, and the Presbyrie considering the whole complex business, they found several things in his Case that made them apprehend some probability of his Guilt with *Elspet Dickson*; Particularly, 1. That when he was at *Edinburgh*, he wrote a Letter (*) to the Presbytrie, containing a Subscribed Oath, declaring his Innocence, which he desired might be Registrat in the Presbytrie Book, tho the Presbytrie did not think fit so much as Judicially to Read it; only some of the Brethren perused it privately: Which Offered Oath, being before any Process was Intended, before the Woman had Confest, or was sent hither; And being likewise of his own Framing, and when no Judge was requiring it: This Unaccountable Method of his Vindication, gave the Presbytrie much Ground of Suspicion: Which was no ways Lessened by that which follows, In the second place, viz. That after he came Home, and was at Home for some considerable time, he never moved in the Tabling of his Affair, notwithstanding he knew the Noise of it was daily Increasing; but suffered the Presbytrie to prevent him by their Letter, which (in their Judgment) an Innocent Man would not readily have

Edinb. July 8 1696.

R. & D. Br.

I Am very much afflicted that I have been so long detained in this place, beyond my expectation, and fearing that through my being yet longer kepted, Truth and Innocency should be further Injured, I have resolved to lay a few things before my Reverend Brethren of the Presbytrie.

1. It is near Eighteen Years since I began to Preach the Gospel, with what approbation and Success both in Ireland and in this Kingdom, is not fit for me to mention.

2. It is Eight Years and an Half since I was Married to a Godly, Vertuous

an Innocent Man would not readily have

have done. 3. It is very Obvious, that instead of Joyning, and Heartily Complying with the Presbytrie, in all Reasonable Measures, for Searching the Scandal to the Bottom, in Order to his Just Vindication, upon the contrary he makes it his Business, in the whole Conduct of this Affair, to Asperse and Calumniate his Brethren, and to Represent them as his Enemies; when its Rationally presumed, an Upright Hearted Man would Judge them his best Friends, who Pursue him most diligently by a Fair Tryal. To all which is added, 4. That the Brethren are very Sensible of his Prevaricating, Shifiting, and Pitiful Evasions in his Answers to their Proposals, both as to

the Scandal in Hand, and some other Particulars, wherein he was no less evidently, than Shamefully Guilty of (c.) Lying in Face of the Presbytrie, which cannot but increase the Presbyteries Jealousie of his Guilt.

(c.) This was with respect to Mr. Vetch, as is to be seen more fully in the Appendix.

any after Converse, I know not; but this I know, that during the whole half Year; after she had done with Nursing my Child, she could never be kept within doors, yea frequently was without in the Night time, till after Worship was done in the Family, and I in my bed.

4. When I was (in April last) at the Synod of Wigtoun, Correspondent from our Synod, I heard that the said Elspet was brought to bed, and hearing that she stayed in a House near my way home, I called at the Door upon Horseback, and found her yet undelivered: I Examined her anent the Father of the Child, She said it was one James Anderson. I told her she had brought a dreadful Stain upon my House, and she behooved to return and satisfy for the same: She said, she could not do that presently, for she knew not what Hour her Pains took her (which was also confirmed

Lovely and Fruitful Wife, during which time, the World never heard or saw an unaffectionat word or deed betwixt my dear Wife and me.

3. When I was in July 1695, Nineteen or Twenty days in this place attending, at the Presbyteries appointment, the General Assembly, One a Gentle sort of Beggar, and it seems, an Old Acquaintance of Elspet Dicksons, came to my House, whom she attended to his bed, and stayed a considerable time with him; For which my Wife did sharply reprove her: Thereafter, my Wife going to the Yard, the said Elspet goes again to the said Beggars Bed, and did not return till she heard her Mistress coming in, which was near an Hour time after she had gone out; and being exceedingly surprized to find her Nurse in that place, when she thought she had been in her Bed (which was also observed by my other servant Marion Raphel) she did most sharply reprove the said Elspet. Yet before any of the House were up in the Morning, she gets up to the said Beggar, raises him, Conveys him the length of a vast House belonging to Cavens, as she did Confess: This was in the latter end of July 1695. Whether these two had a-

firm'd by another Woman of her Neighbourhood, who was then within word speaking.) I told her I had written to Mr. Bradwine to secure her in Prison, till she found Caution to return and satisfie, and accordingly gave the Letter to her Neighbour Woman; She said, some of the Men in the Town would be Caution for her.

By which it appears, that that Bastard, comes exactly to the Time when she and that Fellow met together at my House, it being in the latter end of July. Its true, I hear she was not Delivered till some time thereafter in May, but this might be occasioned, either by weakness of Body and Grief of Mind, she having in January before, satisfied for her second Bastard, and thereafter (as I was informed) broke two Ribbs in her Side, by a fall at the Steps of Tarff, whereby she lay a Month; Or, by her after Converse with the said Beggar, or some other loose Companion in her untimely Night wanderings.

By all which, it appears evidently how uncharitably Malicious (to say no worse) they are, who would slander me with that wickedness. But I must bear a part of that Cross which all the Servants of God, after our Lords example, have in every Generation, heavily smarted under. If they called the Lord and Master a Devil, a Glutton and Winebiber, a Friend and Companion of Publicans and Sinners, what will they not say of the Servants?

Yet For the Glorie of God, Vindicating of the Reputation of that Sacred Character which I am Honoured with, the easing of the Minds of my Reverend and dear Brethren, and the truly Godly of the place, and that the Mouth of Impious and Uncharitable Men may be stopped, I have Resolved in the most Solemn manner, to purge my self by Oath, and that in the same (or more comprehensive) Terms, wherein I have, either at the appointment of the Presbytrie, or Session of Kirkbeen, administred such an Oath unto any; Which I shall, by the Grace of God, Judicially own before the Presbytrie at my return. And therefore I say,

‘ I Mr. Hugh Clanny Minister at Kirkbeen, do as in the sight of the Eternal and Everliving GOD, who is a Swift and Terrible Witness against Idolaters, Adulterers, Whormongers, Perjured, and all Impenitent Persons, Declare, That I am not the Father of that Child, brought forth by Elspet Dickson now in Tongland; And that since I came to the World, to this very Minute, I never had any such Carnal dealing, or Converse with the said Elspet, or any Women else, excepting my own Wife. All which I do Assert, attest and Swear, to be of Solid Certain Verity, as in the presence of the Omniscent and Everywhere present GOD, and as I shall Answer unto Him in the Great Day, when he shall Judge the World by the Lord Jesus Christ. Which Oath, for more Verification, I Subscribe with my Hand at Edinburgh this 8. day of July 1696. H. Clanny.

This I desire to be Insert and Registrat in the Presbytrie Book, if my R. Brethren think meet, and Publickly intimate as they shall see need.

And

And now after all, the Presbytrie deliberately weighing the importance of his very *Censureable Deportment* at *Kirkbeen*, and the Scandal of *Drunkenness* at *Newabbay*, they found very pregnant grounds of Suspending him (*d*) *de Novo*, and do hereby Suspend him from the Exercise of his Ministry, for a time. And appoints Mr. *Robert Lawson* to preach at *Kirkbeen* next *Lords Day*, and then to make publick intimation of this their Act of *Suspension*. And in the mean time, the Parties being called in, were Cited *apud acta*, to appear against the next Presbytrie day.

(*d*) The meaning of this is a Suspending him from his Ministry by way of Censure, for Scandals confest and proven. And its called *de novo* to distinguish it from the former, which went under the name of *Suspension*, tho it was not by way of Censure

In Regard there were several other Scandal's, which the Presbytrie are informed of, anent Mr. *Clanny*, particularly more *Drunkenness*, *Light Speeches*, and unbecoming Carriage; They appoint Witnesses to be Cited thereanent, and a List of their Names to be given timeously to Mr. *Clanny*, by the Clerk. The Presbytrie adjourns till Four a Clock.

Post Merid: & post Preces Sederunt, &c.

THE Brethren again considering that Mr. *Clanny* pretended he had heard these Calumnies, which he cast upon the Presbytrie, before the Congregation of *Kirkbeen*, reported to him by others, they appointed Mr. *Robert Lawson* to require him from the Pulpit, to adduce Witnesses (if he had any) against the next Presbytrie, who will depone that they heard any persons inform him of these things. And its laid upon Mr. *Vetch* to send some persons along with *Elspet Dickson* to the Paroch of *Tongland*, when she fetches from thence her Certificat under Mr. *Clanny's* Hand, which she is required to produce the next Presbytrie day.

D R U M F R E I S the 10th. of September 1696.

Post Preces Sederunt, Mr. Robert Paton Moderator, &c.

SEveral persons having been Cited as Witnesses against Mr. *Clanny*, with respect to his *Scandalous Behaviour*, The Presbytrie thought fit to call them in first, in regard they could not well attend for any space of time. Accordingly, was called *Agnes Stewart*, one of Mr. *Clannies* present Servants, who being Interrogat by the Moderator, who it was that Slandered her as being Base with Mr. *Clanny*? Answered, it was *Margaret Maxwell*

well in *Newabbay*. And Interrogat, if she knew any of Mr. Clanny's Scandalous or unchristian Carriage? Declared, (tho at first she denyed) several of his unbecoming Actions toward her self: As that he *Kissed* her when alone in his own Hall-floor since the Report came abroad of his Scandal with *Elspet Dickson*, and that once in his own *Barn*, when he and she were alone, and the Door was closed, whether falling To of it self, or he putting his Hand to it, she could not positively Remember, He gripped her by the Arm, and bad her give him a *Kiss*, and put down his Hand to her Petticot, whereupon she gave a little Cry, and said, *is the Man going Mad?* And got quickly out of the Barn for fear of him: And that the other Servant Woman *Janet Blackstock*, saw her coming out of the Barn in a Hast, and told her that she looked right Red; And that the said *Janet* told her that Mr. Clanny, as was said, had a gate of putting his Hands to his Women: And told her likeways, That when she had been in the Stable casting up Hay, she was afraid of him. Declared likeways, in Answer to the Moderators Interrogations, That as she was going Home once from *Drumfreis* to his House, a little within the Night, he overtook her at the *Netheryate*, and took her on behind him, and offered to *Kiss* her, but she would not suffer him; That he put his Hand to her Middle-Waste, and kept it there till he came to *Kirkbeen* Gate, and when they alighted he held up her Chin (having almost Choaked her) and gave her *Two Kisses*; And declared that she told *Janet Blackstock*, that she would not venture to Ride with him again.

Upon the Back of this Declaration, Mr. Clanny was Called in; And the Moderator telling him, that the *Presbytrie* was Sorry, to see his *Scandals* so encreasing, & particularly, to hear what this young Woman had said just now of him: And Interrogating him, if these things were true, That he *Kissed her so often when alone*, &c. He refused to Answer to that Head, but began another Discourse wholly impertinent to the Purpose, and cast down a Paper on the Table (which he called an *Appeal*) with some Money, and away he went in a very Supercilious Manner; the Young Woman Calling after him, That *what she had said was very true*: The *Presbytrie* did not owne his *Appeal*, in regard, that as he met with no *Lesion*, so it came not in *due Time*; And the Woman being Desired, to Disengage her self of Mr. Clanny's Service, was Cited, *apud Acta*, to attend the next *Presbytrie*.

(e.) *Elspet Dickson* Confessing, that Mr. Clanny had given her a Certificat, with Two Guineas, and Four Half Crowns, in Order to her Journey for Ireland, and that these were in her Si-

Called and Compeared *Elspet Dickson*, and being Interrogat by the Moderator, if she Adhered to her former Confession? Answered, *She did*. (e.) She produced before the *Presbytrie*, the Testificat, which Mr. Clanny gave her, before

before she went out of Kirkbeen, written with his own Hand, but in her Mothers Name, who Died (as she says) six or seven years ago, and to her Knowledge, never was in Kirkbeen: She produced likewise Two Guinees, with a Half-Crown Piece, which she says, he gave her at Kirkbeen, with the said Testificat, at Parting; And which were brought with her self from Tongland, by the Care of some Persons, whom Mr. Vetch Directed, according to the Appointment of the Presbytrie.

sters House in Tongland, hid in a Hole of the Wall, Mr. Vetch, by the Presbyteries Order (lest all might have been but a Forgerie) sent two Men to Mr. Robert Bryden Minister there, together with the Woman, Desiring him by a Line, to Search for these things, in the Place which she would shew him. Accordingly, when they were there, she was kept by the Messengers, that she could not go near the Hole, where the Gold, Money and Certificat were hid, till the Minister was sent for, to whom she Pointed out the Place, who, finding them all there, (as she had said) Transmitted

them in a Line to Mr. Vetch; And he having given them to her, in the Face of the Presbytrie, at their next Meeting, she delivered them to the Moderator.

The Testificat, (The Tenor whereof is as followeth; The Bearer Janet Anderson, hath Lived these Eighteen Months last bypast within this Paroch, Soberly and Discreetly, and without any Publick Scandal known unto us; so that she now Designing to Travel unto Ireland, may be admitted to Pass and Repass, without Molestation, she Behaving as becometh; This, for Information to such as are Concerned, is Written and Subscribed at Kirkbeen, this twentieth of November, one thousand, six hundred, ninety and five, by (sic Subscribitur) H. Clanny.) Being Viewed by the Ministers and Elders, that knew his Hand Write, it was doubted by none of them to be His; And the Moderator Interrogating the said Elspet, How it came, her Mothers Name was there instead of her own? Answered, That Mr. Clanny Enquired her Mothers Name at her, and told her she might go to Ireland under that Name; Interrogat, why she did not mention the Guinees in her first Confession? Answered, That she had no will to do it, and that she Denied only, that she got Gold in Tongland, whereas she got it in Kirkbeen. Interrogat, if she got any more from him? Answered, No, But that he promised to send her more to Ireland.

Janet Ewart, who was once a Nurse in Mr. Clanny's House, being Cited and Called, upon the Scandal of Mr. Clanny's Lascivious Carriage, Compared, and being Interrogat, what she could Declare anent his Offensive Conversation? Declared, That when she was in his House, he Kissed her several times when alone; And since she came to have Service in Drumfreis, he Kissed her, when no Body was present, in Dunjap's House, and twice in Mary Callends, when he came at different times to the Town; That she Disliked the same, but he said, there was no Harm done.

Likewise, Called and Compeared *John Herries* of *Buss*, Town Clerk o *Drumfreis*, *John Lanrik* Writer, and *Robert M'brair* Messenger there, anent the Scandal of *Mr. Clanny's* Light and Offensive Speeches of his Adultery, when Drinking in Company with *Thomas Irving*, in the said *Buss Herries* his House, since the Scandal of his alledged Adultery broke out, but they not being Ripe to Depone, are delayed till the next Presbytrie Day.

The Presbytrie appoints *Mr. Clanny* to be Cited; With *Fanet Blackstock* and *Issobel Martin*, and other Witnesses, relative to his Miscarriages, (whose Names are to be Timeously Transmitted to him) against the next Presbytrie Day.

DRUMFREIS, the 24th. of September 1696.

Post Merid. & post Preces Sederunt, &c.

THE Witnesses Cited with Respect to *Mr. Clanny's* Scandalous Deportment, were Called, and Examined as followeth. *Imprimis*, Compeared *Agnes Stewart*, who being Interrogat, if she Adhered to her former Declaration? She Answered in the Affirmative. Interrogat, if she saw *Mr. Clanny* any otherwise Offensive? Answered, That upon the Thursday after *Elspet Dickson* was sent to *Drumfreis*, (which was the fifth of August) he came from the House of *Conbeath* (a Popish Gentleman in the Paroch of *Carlawrock*) evidently Drunk; That he Gripped her at that time by the Shoulder, and Asked a Kiss of her, and said, *Whether is my Wife up Stairs or down Stairs?* To which she Replied, *Why do you speak so?* For you know she has not been up Stairs these twelve Months: And added, that *Fanet Martine* in *Kirkbeen* could declare, she saw him in Drink at that time likewise. And the said *Fanet* Compearing, and being Interrogat on that Head, she said, she thought that *Mr. Clanny* was Concerned with Drink at that time, that he had more Drink than ordinarily a Man ought to have, that he was more Merry in his Talk than ordinar, saying to her, *Will ye take a Man?* And she Answering, that there was no haste; He Replied, that he knew that she would do it for all that, and Named several Persons unto her. But in regard that *Mr. Clanny*, by a Line, offers to adduce Witnesses, for Invalidating *Agnes Stewart* her Testimony, these Young Womens Oaths are delayed till the next Presbytrie Day, being the Twelfth of October, against which, *Mr. Clanny* is to be Cited, and to adduce these foresaid Witnesses: And the saids *Agnes Stewart* and *Fanet Martine* were Cited, *apud Acta*, to attend that day.

Christian Ewart, Spouse to *John Martin* in *Kirkbeen*, being also called, com-

compeared, and declared that she could say nothing as to Mr. Clanny his Drunkenness.

Compeared *Fannet Blackstock*, who being Interrogat by the Moderator, declared, that she was in the Hall in the mean time when *Agnes Stewart* was in the Barn with Mr. Clanny, and heard *Agnes Stewart* cry; and when she enquired at her, why she Cryed, she said that a Sack fell on her; but that she told her afterwards, that she shouted, because he put his hand to her Petticoat. Confesses that she said to *Agnes Stewart* that the Servants of the House told her, that he had a gate of this, and that she was sometimes afraid of him when she was in the Stable. She denied, that ever Mr. Clanny Kissed her, if it had not been in Courtesie, when she was going away, and when he came to her Fathers House to examine.

Called and Compeared *Isobel Martine*, and being Interrogat, declared, that she said to *Fannet Blackstock*, that Mr. Clanny had a gate of putting hands to his Women unbecomingly. Declared, that when he came once from *Drumfries*, when she was his Servant, and when she went into the Stable, not knowing of him, he put his hand into her Breasts, and that he lifted up her Chin, and Kissed her. Declared, that she thought that he was Drunk at that time. And adds, that he laid his hand on her Belly twice at other times, as if he had been going to Kittle her; and that she thought it was very ill favoured.

Compeared likewise, *Thomas Irving*, *Robert M'brair*, and *John Lanrick*, who being previously examined anent what they could Depone upon Oath, with respect to Mr. Clannys Offensive Carriage in Buss Herries his House (f), the Presbytrie thought it unnecessary to take them Sworn, and thereupon dismissed them.

(f) Some of these Persons wrote down

what they could Swear anent that affair, others told by word of Mouth, And the Presbytrie judging them to be of no consequence, thought it not necessary to take their Oaths.

DRUMFRIES, the 12th of October, 1696.

Post Preces Sederunt, &c.

MR. *Hugh Clanny* being Cited, and required to bring his Witnesses this day, to invalidate *Agnes Stewarts Testimony*, and being Called and not compearing, nor any Person for him, the Presbytrie thought fit to Call the said *Agnes*; and her former Confession being read over again in her hearing, and she Interrogat if she adhered thereto? She Answered, that she did; whereupon the Presbytrie thought fit to take her Deposition upon it.

ACCORDINGLY, the said *Agnes* being purged of partial Countei, and and Solemnly Sworn, Deponed, that upon the Tuesday after *Elspet Dickson* was

was sent to *Drumfries* (being the Fifth of *August*) he came from the House of *Conbeath* (a Popish Gentleman in the Paroch of *Carlawrock*) evidently Drunk; That he gripped her at that time by the Shoulder, and twice asked a kifs of her, and said, *Whether is my Wife up stairs or down stairs?* To which she replied, *VVhy do you speak so?* For you know she has not been up Stairs these Twelve Months. *Fannet Martin* not being present, conform to her Citation *apud Acta*, is ordered to be Cited *pro secundo*, as a Conjunct Witness in that Scandal.

Fannet Gracie being Cited and Called, Compeared, and being interrogat what she knew with relation to Mr. Clannys Drunkenness and Lascivious Carriage? She denyed that ever she saw him Drunk. Acknowledges that he sent her twice in one Night to bring *Fannet Ewart* to him in *Mary Calands* House; but she come not. And that, at another time she saw Mr. Clanny and her Sitting together in *Mary Callends*, themselves alone, while she looked through the Door, *Fannet Ewart* being at the Table head, and he below her, but cannot be positive if his Arm was about her: Says, that at another time Mr. Clanny stretched out his hand towards the Declarant, inquiring if she was Fat, &c. All which she is ready to Depone, if need be, and that she knows no more thereanent.

The Presbytrie Considering the whole Procefs against Mr. Clanny, do Referr the Cognition thereof to the Synod which is to meet here to morrow. Extracted forth of the Records of the Presbytrie of Drumfries, by me

PETER RAE Cls. Presb.

An Extract of Mr Clanny's Procefs before the Synod mett at Drumfreis upon the 13, 14, and 15 Days of October 1696.

At DRUMFREIS the 13th. of October 1696.

Post Merid: & post Preces, The Synod mett, conform to Appointment.

THIS day, Mr. *Hugh Clanny* Minister at *Kirkbeen*, having Compeared before the Committee, and given in his Appeal from the Presbytrie of *Drumfries*, to this Synod, alledging Lesion by their Suspending of him without Accusation, Citation and Probation; and the Brethren of the Presbytrie

bytrie of *Drumfreis*, who were Members of the Committee having also Compeared and produced their Register containing the whole Process upon which their Sentence was founded, together with a Reference of the whole Affair to the Synod; And the Committee having brought in the Affair to the Synod, it was debated upon, *hincinde*; But the Synod not being fully Ripe to give any Decision therein, they referred it to the Committee, which is to meet to Morrow at Eight a Clock, to fall upon some Overtures anent that Affair, excluding the Members of the Presbytrie of *Drumfries*, that are upon the Committee from Voteing therein, and continuing Mr. *Aikman* Clerk, who was formerly (*) appointed for that effect, Mr. *Clanny* having protested against Mr. *Peter Rae's* being Clerk in his Affair, *ut infra*. The Synod Adjourns till the Morrow at half Ten a Clock.

(*) Viz. By the Committee

DRUMFREIS October 14. 1696 Ante merid: &c.

THIS day, the Synod taking to their Consideration Mr. *Clanny's* Affair (conform to the Committees Opinion thereanent) thought fit in the first place, to enter upon the discussing of the Appeal, taking in so much of the Cause, as shall be found necessary for discussing of the same. The Synod adjourns till half four a Clock.

Post merid: & post Preces, Sederunt, &c.

A Paper which was formerly given in to the Committee, containing Reasons, why Mr. *Clannys Appeal* should not be sustained, being now read in presence of the Presbytrie of *Drumfreis* and Mr. *Hugh Clanny*; and he desiring the Synod would allow him the same, and a Competent time to return them his Answers in Write; The Synod judging his desire Reasonable, granted him the Paper, and till six a Clock, to give in his Answers thereto.

When Mr. *Clanny's* Business came in before the Synod, he protested that Mr. *Peter Rae*, the Synod Clerk might not be allowed to be Clerk in his Affair, he being a Member of the Presbytrie, from whom he did Appeal: The Synod having considered this desire (altho they were fully Satisfied anent the Fidelity of the said Mr. *Rae*; yet to cut off any Objection that Mr. *Clanny* might raise on this Account) thought fit to grant the said desire of Mr. *Clanny's*, that the foresaid Mr. *Rae* should not be Clerk for present in Mr. *Clanny's* Affair, yet reserving to themselves a Liberty to make use of the said Mr. *Rae*, in inspecting the Presbyteries Minuts of *Drumfreis*, when there was need.

Mr. Clanny appeared, and protested against Mr. Andrew Cameron Minister of Kirkcudbright, (g) his voting in his Affair, in regard he had not Commission from the Synod of Wigtoun (but having had a Commission from the Synod) and desired his Protestation to be marked.

Presbytrie of Kirkcudbright to correspond with this Synod (upon the desire of the Presbytrie of Drumfreis, in regard that Affair had been first Tabled before them) The Synod considering what Light he might give them therein, did by there Vote admit him to be a Member.

The Synod thinking it fit to Examine what relates to Mr. Clanny's Appeals from the Presbytrie of Dumfries, distinctly and severally, they judged it convenient, before they considered that Question, whether his first Appeal is to be sustained or not? to Examine the conduct of the Presbytrie of Dumfries in that Affair; And it being put to the Vote, Censurable or not? It was carried *nemine contradicente*, that the said Presbytrie was Censurable, because they had not observed all the legal steps that they should have done in that Process.

And the Synod having ripely considered what relates unto the first Appeal by hearing the Presbyteries Minuts read, As also, the several Papers concerning that Affair, produced by both Parties; having likewise heard both Parties what they had to say upon the Head, the Parties were removed: They afterward discoursed the Matter at large, and after solemn calling upon GOD, put it to the Vote, *sustain* the first

(h) This Appeal was Appeal or not? And it was carried by plurality rejected by the Synod. 1. of Votes not to sustain it. (b) What further concerns that Affair is delayed till to Morrow. Because he gave not in his Appeal nor Reasons thereof within Ten Days, conform to the Act of the Assembly 2. Because after he had given them in, he took them away, and never returned them back.

DRUMFREIS, the 15th. of October 1696.

Antemerid. & post Preces Sederunt, &c.

THE Presbytrie of Drumfreis being found Censureable by the Unanimous Vote of the Synod at their last Sederunt, were now removed, and it being put to the Vote, Censure them, by Laying them aside, from Judging in the Grounds of the first Suspension, or otherwise? It was Carried by Plurality of Votes, to Censure them otherwise,

(i.) This was but viz. That the Moderator, (i.) and then Mr. Robert Edgar a Correspondent should Gravely, yet Sharply Rebuke

buke them *Synodically*, because they had not observed all the Legal Steps, so as they should have done, in that part of *Mr. Clanny's Process*; and that the *Moderator* should Exhort them, to be more Cautious in time coming. Whereupon they were Called in, and Censured accordingly.

buke; what the Moderator said, being Introductory to *Mr. Edgar his Discourse in Name of the Synod*; which we mark, because

Mr. Clanny Boasts, that the Presbytrie of Drumfreis were Twice Synodically Rebuked.

The *Synod* taking again to their Consideration, the Affair relating to *Mr. Hugh Clanny*, and after it was Discoursed upon at some length, it being put to the Vote, Whether the *Synod* should enter first upon the Discussing of the Grounds of the first *Suspension*, or upon the *Second Appeal*? It was Carried by Plurality of Votes, That they should begin with the Discussing the Grounds of the *First Suspension*. And the *Synod* Considering, that by a former Vote, they had not sustained *Mr. Clanny's First Appeal*, they thought themselves obliged, in Point of Justice, to admit the *Presbytrie of Drumfreis, as Judges* in the Grounds of the *First Suspension*. And *Mr. Clanny* Comparing, and Desiring an Extract of this Act, the *Synod* granted the same. The *Synod Adjourns till Three a Clock.*

Post Merid. & post Preces, Sederunt, &c.

THE *Moderator* of the *Presbytrie of Drumfreis* having formerly delivered to the *Synod*, *Elspet Dicksons Testificat* under *Mr. Clanny's Hand*, (which, she says, he gave her before she left *Kirkbeen*, and was produced before the *Presbytrie of Drumfreis*). Together with a *Guinee*; The said *Testificat* and *Guinee* were delivered to the Clerk in Custody.

Mr. Clanny having given in his Answers to the Extract of the *Synods Act* anent him, which was given him in the Forenoon, desiring, 1. That the *Synod* would recognise their Act, whereby they received in the *Presbytrie of Drumfries* as Judges in his affair. 2. That they would give him an Extract of the whole Process before the *Synod* and *Presbytrie of Drumfries*. 3. That they would read his Paper, containing some exceptions against some Brethren. And 4. That they would grant a Recommendation to the People of *Kirkbeen* to pay him his *Stipend* pleasantly. All which being Considered, he was called and told by the *Moderator*, that the *Synod* could not now rescind their former Act; nor could they grant an Extract of the Process, or allow the *Presbytrie of Drumfries* to give theirs, untill it were brought to some Conclusion, or at least toward the rising of the *Synod*; And likewise that

that he might either pursue these persons before the Judge ordinar (*viz.* the Presbytrie of *Drumfries*) or leave his Paper *in retentis* (which at his desire, was delivered to the Custody of Mr. *Aikman*) And finally, he was told, that he had the Acts of Parliament and General Assembly for his direction in what relates to his Stipend.

The Synod finding that they had not time now (it being near the end of the Week) to overtake Mr. Clanny's Affair, and some other Affairs before them, they thought fit to delay it till the day after mentioned, at which time they are to meet for that effect; allowing the Clerk to give Mr. Clanny an Extract of what the Synod has done in his affair at this time, and also of the Minutes of the Presbytrie of *Drumfries* (relating thereto) preceeding the first Appeal, together with a Warrant to Cite Witnesses relating to what he can say, with Respect to the Two Suspensions. The Synod likewise allows the Presbytrie of *Drumfries* an Extract of the Reasons of Mr. Clanny's Second Appeal, and a Warrant to Cite Witnesses in his Affair, to Compear before the Synod at their next meeting.

The Synod Adjourn still the Fifteenth of December next, and all the Brethren are required, and Correspondents desired to be present then; and in regard that Mr. *Andrew Cameron* was averse to come, The Synod desired him by their Unanimous Vote. *Extracted forth of the Records of the said Synod, by*

PETER RAE Cls. Syn.

An Extract of the Minutes of the Presbytrie of Drumfries, Relative to the Visitation kept at Kirkbeen, December 1696, in so far as they Concern Mr. Clanny's Affair.

At DRUMFREIS the 17th of November 1696

THE Presbytrie considering the Desire of some of the Heretors and Elders of Kirkbeen, and how needful a Visitation is in that Paroch, upon the account of the many Scandals raised upon Mr. *Hugh Clanny*, and that they might find out more distinctly the verity of these Allegations, and understand what his Conversation has been among that People (Abstracting from what is tabled already before the Synod and Presbytrie) They have appointed

pointed a Meeting at *Kirkbeen* for that effect, upon *Tuesday* the First of *December*, where the *Moderator* isto Preach: And the Clerk to Advertise Mr. *Clanny*, the *Eldership* of that Paroch, and the *Absent Members* of the *Presbytrie*, thereof, in due time; and Intimation to be made of the same at *Newabbay*, upon the Sabbath preceeding, in regard there is no Sermon to be then at *Kirkbeen*.

At K I R K B E E N Kirk the First of December, 1696.

MR. *Hugh Clanny*, the *Eldership* of *Kirkbeen*, and the *Absent Brethren* were advertised conform to Appointment; and the Brethren being Conveened, Mr. *Vetch* Preached. Sermon being ended, and the *Presbytrie* Constitute, Compeared several of the Heretors, the Elders and other Parochioners of *Kirkbeen*, who gave in a *Petition* Subscribed by many Hands, desiring the *Presbytrie* to loose the Relation betwixt them and Mr *Clanny*, upon the account of the *Grievances* which they gave in, as followeth.

G R I E V A N C E S of the Paroch of *Kirkbeen*, against Mr. *Hugh Clanny* their Minister.

1. **T**H A T he was *Negligent* in Preaching the Word upon the Lords day; lecturing and Preaching but once on the Longest Summer day; Witnessed by the whole Paroch.

2. ' He much frequented *Ale Houses*, such as *William Miligans*, *John Martins*, and the *Mains Mill*, among *Papists*, and other bad Company, to the great Grief of the Honest People of the Paroch; Witnessed by *Arbigland*, *Adam Dickson*, and others.

3. ' That he often disappointed the People when he had appointed Lecturing upon Week days, but more especially one day, when he had Conveened the People to the Church, he went to the *Mains* of *Sutbwick*, it being an extraordinary day of Rain, and there staved all day, Feasting and drinking, to the great Grief of all Honest People: And when it was night he came to *Preston*, where he Lectured a short word with Candle-light; and Baptized a Child to *John Murray* there: Witnessed by the said *John Murray*, *Janet Anderson*, and others.

4. ' He exceedingly Oppressed his Parochioners and others, that he had to do with; Witnesses *Thomas Grinlay* in *Newabbay*, *Adam Grinlay* there, *Robert Costine*, *Harbert Caird* in *Burren*, *Adam Mcnce* in *Preston*, &c.

5. ' His calling some of his Elders, *Godless Villans*, in Face of the Session; Witnesses, *Robert Costine*, *William Newal*, *William Caird*, and the rest of the Elders.

G

6. His

6. ' His Burning and selling the *Meeting-House* timber, which the Paroch bought, and which he caused take home to his own House under Promise to Build a Loft in the Kirk, and to use the Residue for the benefit thereof, and other needful uses; but on the Contrair, he would not allow the Paroch so much as a Couple of it, for building a *School House*, although he was often solicited by the Paroch on that Head: Witnesses *Adam Dickson* and *Robert Costine*, who bought some of it; and others.

7. ' His Slandering *William Clerk*, whom he accused of *Sheep Stealing*; Witnesses *Dr. Herries*, *Adam Dickson*, and the Synod of *Drumfries*.

8. ' He gave in *Three Executions* to the Presbytrie of *Drumfries*, of his Summoning *James Murehead* to have Compeared before them, when as he was never Summoned, but once; Witnesses, the said *James*, *David Gibson*, &c.

9. ' He Married *David Churrie* and *Marion Martin* now in *Milnhill*, without *Proclamation of Banns*; and likewise, Baptized a Child privatly to the fore-said persons, begotten in Fornication; and brought forth immediatly after the fore-said Marriage: Witnesses the persons themselves; and *Janet Allan*, *Janet Clinning* in *Preston*, were Witnesses of the Baptism.

10. ' That notwithstanding *Thomas Keltoun* in *Prestoun*, had assigned Mr. Clanny to 17 l. and 18 sh. Scots, which was owing to the said *Thomas* by *Agnes Stevenston* in *Drumfries*, and Mr. Clanny had accepted thereof, in part of Payment of his by gone Teind; yet he has taken Decreet of the said *Thomas Keltoun* before *John McNaught*, and *William Murray*, albeit he still keeps the fore-said Assignment: Witnesses, Mr. *John Somervail* in *Drumfries* that wrote the Assignment, and the said *John McNaught* and *William Murray*.

11. ' His striking *William Newal* in *Kirkbeen*: Witnesses, *Mary Bacon*, *Katbrin Maxwell*, *John Bridge*, and *James Sturgeon*.

12. ' When *John Mitchelson* in *Torrerie*, had payed him Twelve Pecks of Meal in part of his Teind, which his Wife received, and put in her Garnel, he pursued the said *John*, some days after, before *Kirkhouse's* Court, who fyned him in Ten Pound Scots, and decerned him to pay to Mr. Clanny three Pecks of Meal to make up the alledged insufficiency of the fore-said Twelve Pecks, although the said *John* had offered, to exchange it, and Mr. Clanny had refused to do it.

These with many other Grievances, we can give in at more length (if need be) may sufficiently inform the Reverend Presbytrie, how heavie a Burden Mr. *Hugh Clanny* has been to this poor Paroch, these several Years bypast.

The which Lybel being Read, they added further, that he had obtained a Decreet against *Cavens* his Tennents, before *Martinmas* last, for the Teinds.

Teinds of this Current Year, 1696. which they should not have payed till *Candlemas* next.

Whereupon, was called Mr. *Hugh Clanny*, who (†) Compeared, and being told by the Moderator, that the Paroch had given in some Grievances against him, which they had appointed the Clerk to give him a double of, with the Names of the Witnesses, upon the several Articles, that he might be ready to give Answers at the Synod: He replied, That, *That was the thing he desired.*

(†) *This true account, is a clear evidence of Mr. Clanny's palpable lying on the Presbytrie,*

while he Prints and Publisheth in his Petition to the Parliament, That he was never so much as Called, or Admitted to appear before the Presbytrie at this Visitation, tho (as he says) he waited on, all that Day.

The Presbytrie delays the Consideration of these things lybelled till they take the Synods Advice; And in the mean time appoints *David Gibsen* Kirk-Officer at *Kirkbeen*, to Summond the Witnesses contained in the said Lybel, to appear before the next Synod, at *Drumfreis* upon the 16th. of this Instant, with Continuation of Days, and Certification as Accords; And the Clerk to Issue Warrant for that effect. *Extracted out of the Records of the said Presbytrie, By*

P E T E R R A E Cls. Presb.

An Extract of Mr. Clanny's Proseses, before the Synod, mett at Drumfreis for that Effect, upon the 15th, 16th, and 17th. Days of December 1696 Years.

D R U M F R E I S, the 15th. of December 1696.

Post Preces, Sederunt; Mr. Thomas Sheills Moderator, Mr. George Mulligane, Mr. William Thomson, Mr. John Dunlop, Mr. Patrick Hume, Mr. Thomas Goldie, Mr. William Aikman, and Mr. Dugald Simson, Ministers of the Presbytrie of Lochmaban. Mr. James Black, Mr. Andrew Darling, Mr. James Gowanlocks, and Mr. Robert Colvine, Ministers of the Presbytrie of Middlebie. Mr
William

Mr. Clanny's Processes

William Vetch, Mr. Robert Patoun, Mr. John Reid, Mr. Robert Brown, Mr. William English, Mr. James Guthrie, Mr. John Henderson and Mr. Robert Lawson, Ministers of the Presbytrie of Drumreis. Mr. James Elder, Mr. George Boyd, Mr. John Paisley, Mr. John Murray, Mr. James Murray, and Mr. Thomas Laurie, Ministers of the Presbytrie of Penpont. Mr. Robert Edgar, Mr. Alexander Telfair, and Mr. Andrew Cameron Correspondents. John Nicolson, John Irving, Richard Bell, John Henderson, Homer Gillison, Thomas Mcburnie, John Welsh of Cornlee, Robert Robson, and James Coulter, Ruling Elders. Mr. Peter Rae Clerk.

Absents; Of Lochmaban Presbytrie, Mr. William Steill, Mr. Hugh McHenry, and Mr. Gilbert Ramsay. Of Middlebie, Mr. James Armstrong, Mr. John Laurie, Mr. John Mein, Mr. James Moffat, Mr. Robert Darling, and Mr. Robert Bichet. Of Drumfreis, Mr. William Mcmillan, and Mr. Andrew Reid.

THe Synod Considering, that the Business before them, might be more conveniently Examined in Open Synod, they thought it not fit to Appoint any Committees, for Saving of Time.

Mr. Hugh Clanny being Called Three several Times, at the most Patent Door of the Church of *Drumfreis*, where the Synod was Sitting, and he not Appearing, nor Sending any Excuse for his Absence, although he was expressly Required to be present this Day; The Synod thought fit to Call *Elspet Dickson*; Who being accordingly Called, Compeared; And being Interrogat by the Moderator, who was the Father of that Child she had in her Arms? Answered, Mr. Hugh Clanny Minister of *Kirkbeem*. Interrogat, if she was caused to say so by any other Person, or from Envy or Malice? She Answered, No. Interrogat, where the Child was Begotten? She Answered, *In Mr. Clanny's Kitchen, when she was there alone.* Interrogat, how that could be, seing her Miltress would be in the Hall, and so near unto them; And seing that Mr. Clanny had other Servants, which would readily have seen them? Answered, *She thought, to her best Remembrance, the Miltress was Sick at that Time; And for the other Servants, they had but a Lad, that was out with the Horse, and another Servant Woman, that was imployed in some other place without the House.* Interrogat, if he had any Discourse with her before the alledged Act? Answered, *Not much.* Interrogat, if he lay with her oftener than once? Answered, *That he did it many times.* Interrogat, how she went from *Kirkbeem*? Answered, *That she told Mr. Clanny, before she went out of his Horse, (which was in January last) that she was with Child to him.* Interrogat, if she was Conveened before the Session of *Kirkbeem*, before she left that place? Answered, *No: But that he gave her his Certificat, which she has already produced, together with the Two Guinees, and Four Half Crowns, before she went away, and bade her go to Ireland,*

land, if she could win; And also, that his Servant Richard Gibson (by his Consent) carryed her Cloaths in Company with her to the Water of Orr. Being Interrogat, if he Spoke with her in Tongland, and on Horseback, or not? Answered, That he both Spoke on Horseback, and when he Alighted at the Door, where he gave her Half a Crown, and a Fourteen. Being Interrogat, if she received from him there any Gold, or if he promised her any more Money? She Answered, That she received the Gold at Kirkbeen, he having laid it in his Chamber Window, with the Testificat and Four Half Crowns, and caused her go up and take them; And that he promised her more Money, when he came over to Ireland. Interrogat, if he Spoke to her within Hearing of others? She Answered, No. And Interrogat, what he said to her? Answered, That he bade her go to Ireland; And that his House would be Ruined, if she told of it: And likewise, that (when she spoke to him anent the Baptism of her Child) he bade her say, that the Childs Father had been Travelling these Sixteen Years, between Ireland and Scotland. Being also Interrogat, who that Man James Anderson was, whom she frequently owned as the Father of that Child, when Examined by the Presbyterie of Kirkcudbright? Answered, That she never knew such a Man, but only, that she Invented his Name for a Shift; And Interrogat, if Mr. Clanny had bidden her say, that it was James Anderson's? She Answered, No. Being Interrogat, when she was brought to Bed of that Child? Answered, On the Eighteenth Day of May last. Being Asked anent the time when he first lay with her? Answered, A little while after Lambmas 1695. Being Interrogat, if he Kissed her when alone? Answered, That he did it sometimes. Interrogat, if he lay with her any other where then in the Kitchen? Answered, That he did it sometimes in the Barn, when there was both Corn and Bear in it, Untreshed. Being Asked, how it came to pass, that she told not this before? (k.) Answered, That she concealed it so long, because he was a Minister of the Gospel. Being Asked, if she had Carnal Dealing with any other Man, since she first knew him Carnally? Answered, No: And that she would never have Fathered her Child upon him, if she had had any other Father to it. The which Confession being Read over to Elspet Dickson, she firmly Adhered thereto as formerly, and said, she would go to the Death with it; But in regard of Mr. Clanny's Absence, the Synod thought fit, to delay the further Consideration of that Affair, till their next Sederunt, at which time they expect he will be present. The Synod Adjourns till Two a Clock.

Post Merid. & post Preces Sederunt, ut supra.

THe Synod Considering, that they had never, as yet, Charged Mr. Clanny with the alledged Guilt, (the Time of the former Synod having

ving been spent in Discussing the first *Appeal*, and Considering some *Papers* he gave in thereafter) they thought fit, in the first place, to appoint the *Moderator* to Rebuke him for his *Imperious Carriage* before the *Synod*, his *Aspersing*, and *Reflecting* upon his *Brethren* of the *Presbytrie* of *Drumfreis*, his making a *Bad Use*, and *Boasting* of what was done to them by the last *Synod*, because they had not *so exactly observed* all the *Legal Steps* in their *Procedure* in that first *Process*, as they ought to have done; And then, to lay *Home* the *alledged Guilt* to his *Conscience*, that he might *Glorifie GOD* by a *Free and Ingenuous Confession*, in case he were *Guilty*.

Accordingly *Mr. Clanny* was called in, and told by the *Moderator*, that they had called the *Woman* in the *Forenoon*, and read over to her the *Interrogators* proposed by the *Presbytrie* of *Drumfreis*, and that she *Firmly* adhered to them all as formerly. He was also told, That the *Synod* *resented* his *Hectoring Carriage* before them, and *Reflecting* upon his *Brethren*, a *practise* unbecoming to any, especially to a *Man* in his *Circumstances*, that should be more humbled with a *Sense* of the *Scandal* upon him. He was *likeways* *Exhorted*, if he were *Guilty*, to *Glorify GOD* by a *Free and Ingenuous Confession*: To all which he *Answered*, That he was not *Sensible* of any *unbecoming Carriage* he had been *Guilty* of before the *Synod*, That he had mett with great *Provocations* from the *Presbytrie* of *Drumfreis*, and therefore no wonder if he spoke sharply against them, and that he had spoken but the *Truth*: And as to that which was charged against him, by that *Vile and Notorious Strumpet* (as he called her) he *Blessed GOD*, he was *Innocent* of it.

And having desired a *Conference* with some of the *Brethren*, the *Synod* removed him, till they considered his desire; which being done, they appointed him to be called in, and the *Moderator* to enquire at him. 1. Whether the *Conference* related to the *alledged Guilt* and grounds of the first *Suspension*, or to the whole *Process*? 2. Whether or not the things that he had to impart, might be made publick in open *Synod*? And after his *Answering* of these *Questions* to their *Satisfaction*, that the *Moderator* tell him, That the *Synod* had appointed *Mr. William Vetch*, *Mr. George Mulligane*, *Mr. James Elder*, & *Mr. James Black*, with *Mr. Robert Edgar*, to *Confer* with him, and to return there *Report* to the *Synod*, within three quarters of an *Hour*.

And thereafter, *Mr. Clanny* being Called, the *Moderator* proposed to him the foregoing *Queries*: To which he replied, That the desired *Conference* related to the whole *Process*; especially to the *Bad Treatment* he had mett with this day *Fourthnight*; And that the *Brethren* of the *Conference* might *Report* what past betwixt him and them: Whereupon the *Moderator* told him the *Names* of the *Brethren* appointed to confer with.

with him, and the space allowed for that effect; But he refused to have a Conference with Brethren of the Synods appointment, and desired Liberty to Nominate some himself, in whom he might Confide for Advice; which the Synod having granted, He said he would be content with these the Synod had Named, except *Mr. Vetch*, and instead of *Mr. Edgar* he named *Mr. Telfeir*.

The Brethren appointed to confer with *Mr. Clanny*, made Report, that the Sum of what was Communed upon, betwixt him and them (and of his desire to be represented by them to the Synod) was, that the Synod would be pleased either to *Discuss* the *Second Appeal* before they entered on any thing else of the Process, or that they would *exclude* the Brethren of the *Presbytrie* of *Drumfreis* from being Judges in his Affair, and in that Case he was content that they should presently enter upon the Process: which Report being made to the Synod, they unanimously resolved to adhere to their former Acts: whereupon *Mr. Clanny* being called in, and the Synods Answer Intimat to him, he presented a Petition, which he desired to be Read.

The which Petition being Read, and deliberately considered by the Synod, they appointed the Moderator to give him their Answer to his Petition, in these (1) particulars.

(1.) The design and Substance of these particulars, being included in, and so easily understood by the Moderators Answers, it was thought unnecessary to insert them in the Minutes.

1. As to the method of the Synods procedure, they were not bound to give him a Reason thereof, they having laid down their Measures at the last Synod, which they resolve now to follow.

2. As to the Case of Conscience anent the Obligation of the *Suspension*, under which he lyes; they Judge it his Duty to submit to it, notwithstanding of any supposed informality might have been in the Presbyteries Procedure therein.

3. As for his Reflections upon the *Presbytrie* of *Drumfreis* in General, their Register, and Three of the Brethren of that *Presbytrie* in particular, The Synod appointed him to adduce Witnesses to morrow, to prove what he said against them. he having had a (*) Warrant from the Synod formerly, to Cite all persons whom he pleased, anent any thing Relative to the Two *Suspensions*, as the Warrant it self

(*) The Tenor of the Warrant is as followeth.

The Provincial Synod met at *Drumfreis* upon the Fifteenth day of October 1696, having allowed a Warrant to be given to *Mr. Hugh Clanny* Minister of *Kirkbeen*, to cause Summon any Witnesses he has for his exculpation, in what relates to the Two *Suspensions* by the *Presby-*

trie of Drumfreis; These are therefore, appointing you David Gibson, Kirk Officer at Kirkbeen, to Cite any persons whose Names shall be given

you by the said Mr. Hugh Clanny, to compear before the Synod of Drumfreis upon the Fifteenth day of December next, with Continuation of days, and Certification as accords, and there to bear leil and soothfast VVitness, in so far as they know, and shall be speired at, by the said Synod; and this to be your Warrant. Extracted by

self sent him by the Clerk, and returned to the Synod with his Execution, more fully bears.

P E T E R R A E Cls. Syn.

4. As to what Relates to the last *Visitation* at *Kirkbeen*, The Synod finds that it comes not now under Consideration, but will be considered *debito tempore*. And,

5. That the Synod having, considered the Strain of the whole Paper (which is to be kept in *Retentis*) they find it stuffed with many Bitter *Invectives*, unbecoming any Christian, and far less a Minister, and unworthy to have been presented before any Judicatory ; upon which account they appointed the Moderator first, and then Mr. Robert Edgar, a Correspondent, Gravely, yet Sharply to Rebuke the said Mr. Clanny, for the Invectives contained in the foresaid Paper, and to admonish him to abstain from any such things *profuturo*; Which, he being called in, was accordingly done. And the said Mr. Clanny having heard these Rebukes, given him, And the mind of the Synod in Answer to his Petition, he entered a Protestation against it, and desired that it might be marked.

Margaret Bridge Spouse to Adam Grinlay, in the Glen of New-Abbey, being Cited to declare now before the Synod, what she meant by these words in her Deposition taken by the Presbytrie of Drumfreis upon the 26 of August 1696, anent Mr. Clanny's Drunkenness in her House; viz. That he was concerned with Drink; She was now Called, and compeared, and being Interrogat upon her former Oath, what she meant by the foresaid Words, Viz. That he was concerned with Drink? She Replied, That they use to

(m) These things she say when one is Drunk that he is concerned with said in answer to the Drink, and that she meant that he was Drunk (m) Moderators several In- For evidence whereof, she declared, That he took terrogators that were hold on the Bed-stoup, when he came in, and that he put to her on that head. stumbled in the even Floor, where there was a burning Candle as he was going to Bed, till she took him his Staff, and that he said to her, That he was an Old Man of Fourty Years of Age. Which being read over in the hearing of Mr. Clanny and the said Margaret Bridge, she adhered unto it upon her foresaid Oath.

Upon

Upon a Petition presented by *Anna Maxwell* Relict of the deceased Mr. *James Wilson* late Episcopal Minister at *Cowend*; 'BEARING, That altho the said Mr. *Wilson* had just Right in, and to the Gleib of *Cowend* for the Year 1689. And accordingly caused Plough down, Sow and Harrow the same, and ingather the Crop thereof (being Corn, Bear, and other Grain) into his Barn, for his own use, yet Mr. *Clanny* Minister at *Kirk-been*, had caused break open the Doors of the said Barn, and thresh the Crop of the said Gleib, intronnetted with, away took and disposed upon the same, wherethrough she is reduced to great Straits; And DESIRED, That the Synod would perswade Mr. *Clanny* to give her the same for her present Supply, or in case he refused, that they would be pleased to grant her a *Recommendation* to the *Lords*, before whom her Cause might come, to dispatch her Business, in case she should be necessitated to go to Law. And the said Petition being Read, in the Audience of both parties, and both being heard what they had to say Verbally, The Synod took Notice that he granted his Intronmission with the foresaid Corns, and that he had no legal Right to the Stipend of that Year (far less to their Crop) till long after his Intronmission. And it being alledged by the Woman, that he had given Twelve Pound and Eight pence, as a part of the Price of the said Corns; He replied, That he gave it out of Charity, because of her necessitous Condition; yet immediatly thereafter he acknowledged, that she had given him a Receipt of the said Sum; And further, he granted that they had been in Terms of agreement, as to that Business, having submitted it to Arbitrators. After which, Mr. *Clanny* being desired by the Synod to pay the Woman the full price of the Corns as they were then Apprized and sold to *Millnbank* (a Gentleman in that part) by the Compleaners deceased Husband; He Answered, That he would pay her no more, but the price of the Seed her Husband had Sown, and her Charges in Labouring the Ground. The Synod delays the further Consideration of that Affair till afterwards.

The Synod finding, that Mr. *Clanny*, in one of his Papers, does Maliciously Accuse Mr. *Robert Patoun*, of an Unseemly Carriage towards one of his Servants, such as (Mr. *Clanny* says) his Wife never saw him have towards any of his; And seeing he can neither Instance the particular Miscarriage, nor Adduce Witnesses, to prove his General Accusation: The Synod Judges that Accusation of Mr. *Clanny's* against Mr. *Patoun*, to be a Malicious Calumniating of a Worthy Brother; And therefore, *nemine contradicente*, did appoint the Moderator, sharply to Rebuke the said Mr. *Clanny*, for his Misbehaviour in that Affair; and declare, that Mr. *Patoun* is sufficiently Vindicated, from any thing adduced against him, with Respect to that Aspersion.

Whereupon they were both Called in, and Mr. Clanny was Rebuked accordingly.

Mr. *Hugh Clanny* and *Elspet Dickson* being Confronted, the Synod thought fit, to Examine them upon the Articles of her former *Confession*, viz. Who was the Father of that Child which she had in her Arms? She Answered, That it was Mr. *Hugh Clanny* Minister of Kirkbeen; But Mr. *Clanny* Affirmed, that it was a *Notorious Lie*: And the Moderator Enquiring, why she Raised a Scandal on a Minister of the Gospel? She Replyed, That she would not have Fathered the Child upon him, if it had not been his; And Answered to all the other Queries, as formerly before the Synod and Presbytrie of *Drumfreis*. Being further Interrogat, if the Kitchen Door was open, when that Child was Begotten, and if it was in the Day time? She Answered Affirmatively to both, but could not remember the particular Time of the Day. Mr. *Clanny* alledged, for his *Exculpation*, that he Wrote to Mr. *Bryden* in April last, (in Answer to a Letter of his) to Call her before the Session of *Tongland*, and Appoint her to come to *Kirkbeen*, to give Satisfaction; Or otherwise, to Secure her, till she found Baill to Answer; Which Letter was Attested by Mr. *Cameron*, a Minister of that Presbytrie. He likewise alledged, that the said *Elspet Dickson* did bear *Malice* at him; Which he endeavoured to shew, by telling that his Wife had Challenged her, at her going away, for Six Ells of Cloath, which had been lying in a Chest, and was wanting, being a Part of Thirty Six Ells, which were all in one Piece: To which *Elspet* Replyed, That Mistress *Clanny* did indeed alledge against her, that these Six Ells were wanting, but that both then, and now, she Denied, that she had taken them away, and that she thought, that these Six Ells were not wanting, as her Mistress alledged. And Mr. *Clanny* being Asked, if he did remember any Evidence of her *Malice* against him, or his Wife, exprest after that time, by Word or Deed, prior to the Fathering the Child upon him? He Answered, He could not remember any.

The *Testificat* and *Guinee*, which were produced before this Synod, at their last *Sederunt*; And which, together with another *Guinee*, had been produced before the Presbytrie of *Drumfreis*, being shown to Mr. *Clanny*, he flatly Denied, that either the *Write*, or *Subscription*, were his; Alledging, that it was not the first time, that his Hand had been Counterfeited, of which he Averred, that he could produce a Remarkable Instance; But though there was Occasion at several Dyets, when that Affair was Discoursed by the Synod and him, to have produced the same, yet he never did it.

Mr. *Clanny* Desired Leave, to put several Queries to *Elspet Dickson*, for Clearing the Matter in Hand; Which were accordingly Proposed, and Answered as followeth.

1. Whether or no *Adam Maxwell* a Cripple in *Dalry*, was in his House all Night, in *July 1695*, when *Mr. Clanny* was at *Edinburgh* to wait upon the Assembly, which should have mett *July* the Thirteenth or thereabout? She Answered, *He was in the House, but she could not tell the time when.*

2. Whether or no she went up Stairs that Night to the place where he lay when he was in Bed, and if her Mistress called her down? To all which she Answered, *No.*

3. Whether or no she went up a *Second time* after that she was First called down from him, and rebuked by his Wife? She answered, *No.*

4. If she conveyed him to *Hynds House* upon the Morrow? Answered, that *she convoyed him only to the Gate.* And when he said that she Confest it to his Wife, she denyed the samen. Again, when *Mr. Clanny* alledged that *Andrew Bridge* would testifie that his Wife signified so much to him; The Synod called for the said *Andrew Bridge*, who being Interrogat (but not upon Oath) what *Mistress Clanny* had said to him anent that matter? He declared, that *Mistress Clanny* had said to him, (since the Scandal broke out upon her Husband) that after *Elspet Dickson* had been once called down, by her from *Adam Maxwell*, she went out to her Garden, it being a Summer night, where she staid near an Hour, and when she came in, hearing a Noise of Feet, as it were of Several Persons in the Room where *Adam Maxwell's* Bed was, she called down *Elspet Dickson* and check't her for going up to that place needlessly, at that time: He also added, that *Mrs. Clanny* told him that *Elspet Dickson* convoyed *Adam Maxwell* to *Hynds House*, whereupon *Elspet Dickson* uttered these words; *Mrs. Clanny can make a lie as well as any I ken.* The Synod was offended with this rude (*) expression. (*) And she was Reprehended by some Brethren for it.

5. Whether or no she haunted *Alehouses* late at Night, and when she was sent for did not come home? She Answered that she haunted not *Alehouses*: But when there was one instance adduced, she Confest that instance, and said, that she was only drinking with her Fellow Servant Woman that was going away. And being Interrogat anent the time when she did it? She Answered that it was at *Martinmas*: But *Mr. Clanny* affirming that it was at *Michalmas*, and that *Mr. Brown* could attest it, he being that Night in his House; the said *Mr. Brown* declared that he could say nothing anent the time, nor yet where *Mr. Clanny* was, tho he remembered the thing very well. *Mr. Clanny* alledged another Instance, but could not prove it.

6. Whether or no she spoke *Obscene Language* in *John Martins* house, and was reprov'd therefore by *John Martins* Wife? She denyed the samen, and he could not prove it. The Synod delays what further Concerns this affair, till to morrow, And allows *Mr. Clanny* to give in, in Write, any other Interrogators

rogators he would have proposed to *Elspet Dickson*. The Synod adjourns till tomorrow at Nine a Clock precisely.

D R U M F R E I S the 16th. of December 1696.

Antemerid. & post preces Sederunt, ut supra.

MR. Clanny being Called, Compeared, and gave in some further Interrogators, which were proposed to *Elspet Dickson*, and answered as followeth.

1. If ever she was acquaint with *James Dowglass* who kept *Kirkhouse* his Yard, *August* and *September* 1695? She answered, that she has seen him, but not in *August*, nor till about *Martinmas* thereafter, for any thing she knows.

2. If ever she and he drank together, or were together alone in *Kirkhouse* his Barn? She answered, that *she was never in Kirkhouse his Barn, nor drank with him there*. But Mr. Clanny averring that the Lady *Kirkhouse* and *Dirleton* got the saids *James Dowglass* and *Elspet Dickson* drinking there, and that they were Summounded to Compear before the Synod, to Witness thereanent; and they not being present at the Church, the Synod desired to see the Execution of the Summonds; he searched his Book for it, affirming he was sure he had it, but not finding it, he said that he had written to *Dirleton*, who is for present at *Edinburgh*, but had not Cited the Lady *Kirkhouse*, because she had promised to be present. He likewise desired that the Synod would appoint some of their Number to examin the said Lady, in regard she was *Popish*, and would not Compear before the Synod; which they delayed to do, till they were first certainly Informed that the said Lady was in Town.

3. If ever she was found by *Dirleton*, or any else, lying with the said *Dowglass* at the Hedge side, upon a Sabbath Morning? She denied the same; and Mr. Clanny affirmed it to be true, yet could bring no proof of it.

4. If ever she was alone with him in the Night time, in *William Clerks* Barn? She denied the Charge; but Mr. Clanny offered to prove it by *William Clerk*, that he says, found them there: yet never required the Synod to call him, tho he was was waiting on at the time, as Mr. Clanny knew: Yea, when the said *William Clerk* was adduced as a Witness against him, he Objected against him that he was Infamous, alledging that he was a Sheepstealer, ut infra.

5. If ever she was with him alone in the Garden lodge, and thence brought Apples in her Lap? She denied; but Mr. Clanny affirmed that *Marion Raphel* will attest it. Here its to be marked, that the said *Marion Raphel* was neither present, nor so much as mentioned in the list of his Witnesses.

Its also to be marked, That albeit Mr. Clanny was expressly appointed yesterday to bring in his Witnesses this day, to prove his exceptions against the *Presbytrie* of *Drumfreis* in general, their *Register*, and some of the Brethren of that *Presbytrie* in particular, yet he never offered to do it; And when he was required so to do, after that the time was elapsed, he pretended he could not, because he wanted a *Warrant* from the former Synod, for that effect; which was false, *ut supra*.

Mr. Clanny being again Interrogat anent the Guinees, if he laid them and the *Certificat* in his Chamber Window, and bad *Elspet Dickson* go take them? He flatly denied the same; and some of the Brethren asking him if he could Swear that; he replied, that *tho he might do it freely, yet Oaths were not to be multiplied without necessity*. And while the giving of the Guinees were Charged upon him, he alledged for his vindication, that the Woman, in the matter of the Guinees had contradicted her self at different times, having at first before the *Presbytrie* of *Drumfreis*, denied that he gave her any Gold, and afterward affirmed that he gave her Two Guinees which she produced before them; to which the *Presbytrie* of *Drumfreis* replied, that she had never denied that she received Gold from him, but only at first Concealed it, which the Woman owned to be true; adding further, that she never said at any time, that she received no Gold from him; but only when she was Interrogat if she had Received either Gold or Money at *Tongland*, besides the *half Crown* and *Fourteen*, She denied that she had received any other; which was very true, because she had received it at *Kirkbeen*, and had not been Interrogat if she got any there. And moreover, she added, that she was unwilling to tell of the Gold any sooner, because Mr. Clanny had bidden her conceal them.

The *Testificat* being Viewed carefully by the most part of the Synod, and diligently Compared with other Papers and Subscriptions under Mr. Clanny's Hand, preceeding the Date of the said *Testificat*, The Brethren being Asked one by one, Declared, they could observe no Difference betwixt the Papers and the foresaid *Certificat*, but what might be occasioned by different Pens or Inks, or such other Causes, in the Writings of one and the same Person. And as for the *Subscriptions*, its the Judgment of the Brethren, that they are very like one to another. While the Synod was Considering the *Certificat*, he alledged, that he was certainly Informed, that *Elspet Dickson's* Mothers Name was *Fanet Henderson*, and not *Fanet Anderson*, as the *Certificat* bears; But he brought no Proof of this: And the Synod had good Information, that the said *Elspet Dickson's* Mothers true Name was *Fanet Anderson*, agreeable to the Testimony of the foresaid *Elspet*, who Affirms, that Mr. Clanny had Enquired anent her Mothers Name, which, when she had told him, he Replied, that she might go to *Ireland* under that Name.

The Synod appoints Mr. George Mulligane, and Mr. Andrew Cameron, to meet betwixt and the next *Sederunt*, to Concert some Overtures anent the Method of their Procedure, in the Review of what relates to Mr. Clanny's alledged *Adultery*.

Upon a Reference for Advice from the *Presbytrie* of *Drumfreis*, anent a *Petition* and *Grievances* given in to them against Mr. Clanny, by some of the *Heretors*, the *Elders*, and other *Inhabitants* of the Paroch of *Kirkbeen*; Which being Read in Prefence of Mr. Clanny, and some of his Parochioners, the Synod delays the further Consideration of them, till the Afternoon.

Post Merid. & post Preces Sederunt, ut supra.

THe Brethren appointed to Concert a *Method* anent Mr. Clanny's Affair, make Report, that they came to these Conclusions,

1. That it be Enquired, What Weight is in his *Exceptions* against *Elspet Dickson*, either as to alledged *Malice*, or *Base Carriage* with other Men, about the Time when the Child was Begotten.

2. That it be Enquired, What *Presumptions* of his Guilt do arise from the Womans Confession.

3. What *Presumptions* of his Guilt do appear from Mr. Clanny's Behaviour, in Reference to that *Scandal* of *Adultery*, since the Scandal was *Flagrant*. The Synod did Unanimously approve the foresaid Overtures: But in regard the People of *Kirkbeen* cannot attend for any Space of Time, they delayed what relates to the alledged *Adultery* till afterwards; that they might consider the *Petition* and *Grievances*, given in by the Paroch of *Kirkbeen*.

The Synod accordingly entering upon the Business of the Paroch of *Kirkbeen*, they first considered the Relevancy of the *Grievances* contained in their Lybel; After which, they Called in Mr. Clanny, and the (†) Paroch of *Kirkbeen*: And having Intimated to them what they had done, he desired Liberty to Read an Answer to the *Grievances*, which he had in Write: Upon which Desire of his, Parties were removed, and when the Synod began to consider the Matter, some Difficulties arising, which somewhat straitned them, as to their Method of Proceeding, in regard the Business was only referred to them for Advice, and yet Mr. Clanny had Petitioned, that they would Determine therein: For removing of which Difficulties, the Paroch of *Kirkbeen* came in to the Synod, shewing, that they did Earnestly Desire, that they might Cognosce and Determine, anent the Business contained in their *Petition* and *Grievances*; To which Desire, the *Presbytrie* of *Drumfreis* did Unanimously Consent.

(†) They being Cited, apud Acta, at the Visitation at *Kirkbeen*.

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Whereupon the Synod thought fit to Read the Articles of the Grievances one by one, allowing Mr. Clanny Liberty to Read his Answers, and to add Verbally, what he thought fit, and insisting only upon these Articles that were most Weighty, for saving of time.

1. Upon the Second Article, BEARING, That he frequented Ale-Houses amongst Papists, and other Bad Company ; were Called and Compeared Adam Craik of Arbigland, Adam Dickson in Airdrie, and William Clerk in Kirkbeen, as Witnesses in that Scandal. Upon which Mr. Clanny gave in this General Objection, That such persons should not be admitted as Witnesses against him, as were Informers, being Subscribers of the Petition : Whereupon all parties were removed, and the fore-said Objection discoursed upon at some length ; And the Synod being ripely Advised thereanent, put it to the Vote, Whether or not the Subscribers of the Petition of the Paroch of Kirkbeen, are to be excluded from being Witnesses against Mr. Clanny, when any of them are adduced as Witnesses upon the particular Grievances, meerly upon this Account ; Because, they had Subscribed that Petition ?

(n) This the Synod did, Because, 1. None of his particular Objections against these Persons were Relevant, and they being purged of Malice there was no ground in so far to refuse them. 2. None of these Witnesses Subscribed the Lybel, or Accusations, which Mr. Clanny falsely alledgeth ; as the principal, kept in Rementis doth clearly evince : And whereas it is objected, That they Subscribed the Petition. Its answered, That it would be very strange, that supposing a whole Paroch should subscribe a General Petition, craving a Judicial Tryal of their Minister (but signing no Lybel, which is the case in hand) that none thereof might be admitted to Witness against him, upon the particular Articles of the lybel, there being no other Exception against them. Its true indeed, That one in that Paroch, framed, and gave in the said Lybel ; But then it's certain, that he was not admitted as a Witness therein.

And it was carried by the Unanimous Vote of the Synod (n) Not to exclude any upon that head. And Mr. Clanny being called in, and the samen intimate to him, And Interrogat, if he had any other Objection ? He said he had nothing else to Object against any of the Elders.

Arbigland being Interrogat (but not upon Oath, altho Mr. Clanny had no relevant Objection against him) He declared, that he saw Mr. Clanny several times in Ale-houses ; Adding that he himself, tho in other Circumstances, would have thought shame to have been so oft in Ale-houses, as Mr. Clanny was.

Adam Dickson an Elder, being solemnly Sworn in presence of Mr. Clanny, and purged of Malice and partial Counsel, and Interrogat, Deponed, that

That he had seen him frequently Drinking in Ale-houses, and had been sometimes with him, and other Company, when he thought they might been else where. To which Mr. Clanny Replied, That he had several Busineses which occasioned him to go there; and so grants the thing. *Adam Dickson* further depones, That he saw young *Wachop* and Mr. Clanny with some Gentlemen Drinking in *John Martins* House, and that when they parted, all the Gentlemen Kissed the said *Wachop*, and the said Mr. Clanny did it also. The Which last Clause, Mr. Clanny denying, was referred to the Presbytrie of *Drumfreis*. *Adam Dickson* also Depones, that he saw Mr. Clanny upon a Sabbath, immediatly after Sermon, go in to *John Martins* House, where *Mains* and *Dirleton* were Drinking, where he continued with them about an Hour, as he was informed, for he did not stay till he came out.

Whereupon *William Clerk* and *Fannet Martin* were called as Witneses in that Affair, and Mr. Clanny Objected, that *William Clerk* could not be admitted a Witness, in regard he could prove him a notable *Sheep thief*: And adduced *John Costine* to prove it; who declared, that the said *William Clerk* upon a time took up a Wafe-Sheep which pertained to the declarant; to which *William* Replied, that he had indeed taken up that Sheep, but had a Commission from the Sheriff to take up any Wafe-Sheep he should find; which was acknowledged to be true by the Declarant himself, and the Elders of *Kirkbeen*. He alledged also against *William Clerk*, that he had stolen two Sheep from *John Brown* of *Nunland*, for which he obtained a Decreet against him, before the Judge Ordinar; but *William Clerk* Replied, that the Sheep were his own, and that *Nunland* pursued him only for the Grass Mail, because he had brought them off his Ground without paying him, they having strayed from *Kirkbeen* to *Nunlands* Ground. And Mr. Clanny bringing no proof of what he said against *William Clerk*, the Synod thought fit to call the Elders of that place, and did Interrogat them if they knew any thing of this Affair, and severals declared, and *Adam Dickson* Deponed upon his former Oath, that, that was true, which *William Clerk* had said: And being further Interrogat if they knew any thing to *William Clerks* Dishonesty? They all Answered, *they knew nothing*. And Mr. Clanny not bringing any other Objection against *William Clerk*, all parties were removed; and the Synod having Considered Mr. Clanny's Objections against *William Clerk*, and not finding them Relevant, they unanimously admitted him as a Witness against Mr. Clanny.

Upon which Mr. Clanny and the said *William Clerk*, were called in, and the foresaid *William Clerk* being solemnly Sworn and purged of Malice and partial Counsel, Interrogat, deponed, that upon a Sabbath after Sermon, Mr. Clanny went in to *John Martins* House, before he went to his own, and that he drank with *Mains* and *Dirleton*, for the space of an Hour. He Deponed

poned likewise, that Mr. Clanny fetched him one day from the Harvest Rigg, and that they with Dr. Herries and Kirkhouse drank Eight Fourteens. He Deponed moreover, that Mr. Clanny drank on a certain Night, in the Deponents House, with Kirkhouse, young VVachop, and their Two Ladies, till twelve a Clock at Night. He also Deponed, that upon a Saturdays Night Mr. Clanny drank in John Martin's House, with several persons, till it was very late, and that Janet Martin, the said John Martin's Daughter, brought them the Brandie and other Drink which they drank.

And the said Janet Martin being Called, Compeared, and being Solemnly Sworn, and purged of Malice and partial Counsel (in presence of the said Mr. Clanny, who had no relevant Exception against her) and being Interrogat; she deponed that she sold some Brandie to Mr. Clanny and others, one Night when it was late; but could not remember what Night it was: And being asked how much Brandie they got from her? She Replied, That she supposed they got but a Gill.

And the Synod Considering, that the foresaid Janet Martin was also Cited as a Conjunct Witness with Agnes Stewart, against Mr. Clanny, by the Presbytrie of Drumfreis, upon the Twelfth of October, to have Deponed upon her declaration made formerly to them, & that she not having Compeared then, therefore they thought fit to take her Declaration anent it, upon her Oath now given. And accordingly being Interrogat, she Deponed, that she thought Mr. Clanny was concerned with Drink at the time, which she mentioned before the Presbytrie of Drumfreis, viz. the Fifth of August, 1695, When he came from Conbeath; but she would not say positively that she was Drunk: And said that she thought he was more Merry in his Talk than ordinar, saying to her, Will ye be Married? And she answering, that there was no hast; he replied that he knew that she would do it for all that; and Named several persons to her. To which Mr. Clanny replied before the Synod, that he was employed by several persons, to speak to her upon that account, particularly George Martin in Kirkcudbright.

2. Upon the Fourth Article of the Grievances, anent oppression; Called and Compeared John Costin, Thomas Grinlay in Newabbay, and others, who gave several Instances of it; but in regard they had not their Papers with them, to instruct what they said, the Synod Remitted them to the Presbytrie of Drumfreis.

3. Upon the Fifth Article, Called and compeared, Robert Costine, Adam Dickson, and William Card, Elders of Kirkbeen, who being Solemnly Sworn, and purged of Malice and partial Counsel; they Deponed, that one day after Sermon, Mr. Clanny called William Newal, one of his Elders (o) a Godless Villan, in face of the Session; Because he

(o) Thus we are certainly informed by the Elders of that Paroch, was spoken by him in a Constitute Session, on a Fast Day before the Celebration of the would

Sacrament, May 1695, and that it was ordinary to him upon small provocation, to use this and the like Expressions.

would not go fetch the Communion Elements (at his own Charge) as the Session had appointed, and which he refused, because he did it the preceeding Year. To which Mr Clanny Replied before the Synod, that he did not well remember the words he spoke; but he was in a very great Rage, because of that Elders refusal.

4. Upon the Sixth Article, Anent his Disposing upon the Meeting House Timber; The Synod having heard Mr. Clanny on the one Part, and Arbigland, Adam Dickson, and others in that Paroch, Discoursing on the other Part, and not finding the Matter sufficiently clear, they Remitted the whole Affair to the Presbytrie of Drumfreis.

5. The Seventh, Being evident from what Mr. Clanny had said in Face of the Synod, viz. That William Clerk was a Notable Sheep Thief; The Synod left it to William Clerk's Option, to Pursue it before the Judge Ordinary, or not, as he thought fit.

6. The Synod having heard the Matter contained in the eight Article, "Anent Mr. Clanny's giving in three Executions to the Presbytrie of Drumfreis, of his Summoning James Murehead, who affirms he was never Summoned but once; And having Discoursed upon it a little, and finding no evidence of what was alledged on either Side, they thought fit to Remit it to the Presbytrie of Drumfreis.

7. Upon the Ninth Article of Kirkbeen's Lybel; BEARING, "That Mr. Clanny Married David Churrie, and Marion Martine, now in Milnhill, without Proclamation of Banns, and Baptized a Child privately to them, Begotten in Fornication, and brought forth immediatly after their Marriage; Mr. Clanny granted this Article, viz. That he Married the fore-said Persons upon the Third of July 1688, and also Baptized their Child in his own House: But alledged, for his Defence, that it was before the Settlement of the Church Government; And also, that he had Rebuked them for their Fornication, before the Congregation, upon the preceeding Sabbath: And therefore, thought it needless to Proclaim them, being under these Circumstances. The Matter of Fact narrated in this Article, was also Attested before the Synod, by the Parties themselves.

8. Upon the Tenth Article; Thomas Kelton in Prestoun being Called, Compeared; Who being Interrogat anent the Contents of this Article relating to himself? He Declared, that Mr. Clanny Premonished him Thrice, for Payment of Seventeen Pounds, and Eight Shilling Scots, for which he had Assigned to him as much Money due to the said Thomas, by Agnes Stevenson in Drumfreis) and yet he retains his Assignment, which he then Accepted. To which Mr. Clanny Replied, that he took the Assignment only

ly to help the Man to get that Money ; And finding thereafter, that the Woman was Poor, and not able to pay him, he offered back the Assignation to *Kelton*, which he refused : But the said *Thomas Kelton*, before the Synod, Denied this ; Alledging, that he had sought the Assignation from *Mr. Clanny*, which he had refused him. But neither Party bringing any sufficient Evidence of what they Affirmed ; And the Synod not finding the Matter clear enough, Remitted the same to the *Presbytrie of Drumfreis*.

Adam Dickson being Named as a Witness, of *Mr. Clanny's* obtaining a Decreet against *Thomas Kelton*, for the *Teinds* he was owing him ; And being Called, he Declared upon his former Oath, that he saw *Mr. Clanny* obtain a Decreet before *Cavens* his Court, for these *Teinds* ; And of *Cavens* his *Tennents*, for the whole Year 1696. Whereupon the Synod Asked *Mr. Clanny*, if he had obtained a Decreet for the Stipend of the whole Year 1696. He Replied, that *he knew not* if there was a Decreet past for the whole Year 1696. And then he said, that *John M'naught* did Enquire at him, in what Circumstances he was, and if he had gotten all the *bypast Teinds*, and when he had told him, that he was considerably behind, the said *John* asked him, if he would have a Decreet for the whole Year ; but that *he did not seek it*. *Mr. Clanny* thereafter acknowledged, that he thought this whole Year belonged to him ; And therefore, both sought and obtained a Decreet for it ; but had not yet Extracted it. The Synod hearing this his Acknowledgment, was not willing to be so Severe against him, as to take any Advantage upon this Head at present, and therefore delays it.

9. Upon the Eleventh Article, Bearing *his striking* *William Newall in Kirkbeen*, who was sometimes Lunatick ; Called and Compeared *James Sturgeon*, *John Bridge*, *Kathren Maxwell*, and *Mary Bacon* ; and *Mr. Clanny* being asked, if he had any Objection against them ? He Answered, he had none against any but *John Bridge*, who he (alledged) was not of Competent Age, nor Capable of an Oath upon several accounts, *viz.* That he was Grossly Ignorant, and given to Profane Swearing in his daily Practice. The Synod thought fit in the first place, to take the Oaths of the other three ; Who being all Solemnly Sworn, and purged of Malice, and Partial Counsel, were Interrogat severally, and Deponed as follows.

James Sturgeon Deponed, That he knew nothing of it, untill that Day, that the *Presbytrie* mett at *Kirkbeen*, being the first of this instant.

Kathren Maxwell Spouse to *John Martin* younger in *Kirkbeen*, Deponed, That while she was standing at the Barn, she saw *William Newall* standing in his own Door, and *Mr. Clanny* with him, and that *William Newalls* Face was Bleeding by Scratches (as she supposed) above his Eye, but she could not tell how he got them ; and that she saw no Stroaks. And in regard she cannot Write, she gave the Clerk power to Subscribe for her.

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When Mr. *Clanny* had heard what this Woman had said, He gave the following Account of the Matter of Fact. *viz.* That the said *Newall* had immediately before, exceedingly provoked him, by abusive Language and Behaviour; And thereafter, as Mr. *Clanny* was returning from the fields to his House, the said *Newall* mett him with a Staff, which Mr. *Clanny* threw out off his Hands, thinking he minded to Strik at him; And thereupon he thrust him down upon a Dounghil, and Nipped his Ears, which made *Newall* cry out, *Murder!* And the said *Newall* endeavouring to remove Mr. *Clanny's* Hands from his Ears scratched his Face with his own Nails, which Mr. *Clanny* said, were like *Birds Claws*.

Mary Bacon Deponed, That she heard *William Newall* cry *Ob Murder!* Whereupon she Ran and saw Mr. *Clanny* above him, (but she could not tell if Mr. *Clanny* was off his Feet, or upon them) and when she enquired what he was doing, Mr. *Clanny* replied smilingly, That he was *Nipping his Lugs* for abusing him, Upon which she Answered, That, if it was he, he doing; And thereupon she returned to her own House, and knew no more of it. She further declares, she saw neither Striking nor Blood. And because she could not Write, she gave the Clark power to Subscribe for her.

Because Mr. *Clanny* had Objected against *John Bridge*, That he was not of Competent Age to be a Witness, and that he was a Profane Swearer in his daily Practise; The Synod found by the Testimony of *Adam Dickson* and others of the Elders and People of *Kirkbeen*, that he is Aged about Eighteen Years at least: And that for several Years bypast (since he was bound Apprentice to *John Martin Smith* in *Kirkbeen*) He has neither been addicted to Swearing, nor any other Vice. And the Synod having tryed his Knowledge. as to the Nature of an Oath, They found him Capable to be a Witness. And therefore, all Parties being removed, and the Synod having, considered Mr. *Clanny's* Exceptions against *John Bridge*, and finding them not Relevant, They Voted *nemine contradicente*, that he should be admitted a Witness.

Whereupon, the Parties being called in, and the Synods Act read to Mr. *Clanny*; The said *John Bridge* was Solemnly Sworn, and purged of Malice and Partial Counsel; And being Interrogat, deponed, That he saw Mr. *Clanny* punsh down *William Newall* at the end of a Dunghill, with both his Hands, and saw *William Newall* lying under Mr. *Clanny*, who was ay Nipping at him about the Chouks and Lugs, and he cryed ay, *Ob Murder!* But that he saw not Mr. *Clanny* give him any Stroaks; Deponed also, That he saw Mr. *Clanny* shoot the said *William Newall* in at his own Door, and that *William Newall* had his Cravat, in his Hand and Blood upon it, and Blood on his Face, but the Deponent could not tell the particular place where
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the Blood was: And that thereafter *William Newall* went out and washed his Cravat in the Burn, and that *Mr. Clanny* sat in the House till he came in again. He deponed likeways, That he saw no Blood on the said *Newall* before he mett *Mr. Clanny*, and that there was Blood on him afterwards; But cannot say positively that *Mr. Clanny* gave him the Blood. And in regard he cannot Write, he gave the Clerk power to Subscribe for him.

10. Upon the Twelveth and last Article of the Lybel, BEARING, "That when *John Mitchelson* in *Torrerie* had payed *Mr. Clanny* Twelve pecks of Meal in part of his Teinds, which his Wife received, and put in her Garnel, he pursued the said *John* some days thereafter, before *Kirkhouse* his Court, which fined him in Ten Pound Scots, and decerned him to pay *Mr. Clanny* three pecks of Meal, to make up the alledged insufficiency of the foresaid Twelve pecks, altho the said *John* had offered to exchange it, and *Mr. Clanny* had refused. *Mr. Clanny* in answer to this, alledged that, that Meal was very insufficient, being full of Dust and Seeds, and that his Wife had caused put it among other Meal, taking it as sufficient upon *John Mitchelsons* word, not seeing it her self, being Sick in Bed; tho it was so Bad (as he said) that none of his Servants would eat it. To which *John Mitchelson* replied that there was never Dust put into it, but what the Milln left in shilling, and the Wind in Winnowing it; and that all due pains was taken to make it clean: And this he said he would depon upon his Oath. *Mr. Clanny* granted that *Adam Dickson* roffered in *John Mitchelsons* Name to exahange the Meal after the Affair was Tabled before the Court, and before the Decreet past; or to give him as much as would make it sufficient, but he thought not himself obliged to accept that offer. The Synod Adjourns till the Morrow at Eight a Clock.

D R U M F R E I S the 17th. of December. 1696.

Ante merid: & post preces, the Synod mett, *ut supra*.

MR. *Clanny* being called, Compeared, and being Interrogat, if he had any thing further to add, by Word or write, either as to his Excupation; Or, anent the presumptions of his Guilt arising from *Elspet Dicksons* Confession; or observeable from his Conduct, in reference to the Scandal of his alledged Adultery with her.

As to the First, He adduced *John Barden* younger, to prove *Elspet Dicksons* base Carriage with *James Douglas*; But the said *John Barden* being called in, and Interrogat; He declared that he knew not *James Douglas*, tho he might have seen him, neither saw him ever in Company with *Elspet Dickson*: But in regard *James Douglas* was not present, The Synod could not

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take his Oath. He added further as to his Exculpation, That he could not have his Witnesses here at the time for that effect, because he could not get them Cited; For altho that the Synod Clerk had sent him a Warrant to Cite as many Witnesses as he pleased; yet the Warrant being directed only to *David Gibson* in *Kirkbeen*, he could not get him conveniently to Cite the Witnesses that lived in Remote Places, and therefore had employed *John Smith* Kirk-Officer of *Drumfreis* for that Effect, desiring him to get a Warrant from the Clerk, having for that purpose written to the Presbytrie of *Drumfreis*, that their Clerk might give a Warrant to the said Kirk-Officer. Yet it is very evident from Mr. Clanny's Acknowledgement, that he never desired *David Gibson* to Cite these Remote persons. And the said *John Smith* a Kirk-Officer foresaid, being called, Compeared, and being Interrogat, He denied that Mr. Clanny had either bidden him seek a Warrant from the Clerk; Or had given him the Names of persons to be Cited. Upon which Mr. Clanny replied, That he had indeed a design to have been at *Drumfreis* himself for that Effect, but could not win, because of his Wife's Sicknes.

To the *Second*, he added little or nothing by Word, and nothing at all by Write.

As to the *Third*, he was particularly Interrogat, anent the several Steps of his Behaviour and Conduct, and was heard giving his Answers to every *Querie*; Especially, anent his *Letter* sent to the Presbytrie, while he was at *Edinburgh*, with a Subscribed Oath, which he desired to be Recorded in the Presbytries Register, before any Process was Intended against him, or that the Woman had Confest, or was sent to this Place; And another *Letter* sent from *Kirkbeen*, after he came Home, urging upon the Presbytrie his former Desire, as the Letters themselves (which are *in retentis*) do clearly evince.

The Synod thought fit to discuss the Grounds of the *Second Suspension* and *Appeal*, before they gave their Judgment anent the Grounds of the *First Suspension*, or the Grievances given in by the *Paroch* of *Kirkbeen*.

Wherefore the Synod having caused Read over the *Second Process*, and Discoursed a little upon it; They Adjourned till Three a Clock in the Afternoon.

Post Merid. & post Preces Sederunt, &c.

While the Synod was seriously Considering Mr. Clanny's *Second Appeal*, and the Grounds thereof, the Presbytrie of *Drumfreis* desiring to be heard by the Synod, before they proceeded any further in the Affair before them; they were Called in, and being Asked by the Moderator, what they had to impart to the Synod? They Replied, that albeit they

they thought, that they had been Regular and Formal in their Procedure against Mr. Clanny, in Reference to the *Second Suspension*, and what followed upon it, till the Affair was Tabled before the Synod, and Judged, they would be able abundantly to Vindicate the same; Yet, to Ease the Synod of all Trouble that might be prevented, and to Save Time, they were content to *exclude themselves*, from being Judges in the foresaid Process relating to the *Second Suspension*, and what followed thereupon, before the last Synod met: Yet reserving to themselves, their full Power of *Acting* and *Judging* in the other Parts of Mr. Clanny's Process, as freely as other Members of the Synod. Which Offer of the Presbytrie of *Drumfreis*, (that is to say, as to their laying themselves aside in the Process above-mentioned only) being put to the Vote, *Accept or not?* It was carried by the Vote of the Synod, *nemine contradicente*, that they *Accepted their Offer*. And in regard Mr. Clanny Complained of *Lesion*, as to the above-mentioned Process, the Synod, by the foresaid Vote, Resolved, after a full Examination of the whole Affair, to do him Justice, *if he Required it*. And both Parties being Called in, and the Synods Act Intimat to them, they Acquiesced thereto.

And Mr. Clanny Desiring, that the Synod would Finally Determine the Process relating to the alledged *Adultery*, before they entered on the *Second Suspension*; Parties were Removed; And it being put to the Vote, *Grant Mr. Clanny's Desire, or enter upon what related to the Second Suspension?* It was Carried by Plurality of Votes, That they should enter on the Process relating to the *Second Suspension*.

Isobel Martin, Daughter to *John Martin* in *Kirkbeen*, being Called to Depone upon what she had Declared before the Presbytrie of *Drumfreis*, upon the Twentyfourth of *September*; and all parties being present, and Mr. Clanny being asked, if he had any Relevant Reason why the said *Isobel Martins* Deposition might not be taken against him? He said, that her Deposition ought not to be taken, because the Matter anent which she was to depone, was Seven or Eight years ago; and to Confirm what he said, alledged an Overture of one of the General Assemblies. Parties being Removed, the Synod having Maturely considered his exception, they found it not Relevant (p) and therefore thought fit to take her Oath. And accordingly, parties being called in, and the said *Isobel Martin* solemnly Sworn, and Purged of Malice and Partial Counsel, deponed, that Six or Seven years ago, he put his Hands upon her Belly twice, and once at another time, when she went into the Stable, he being there before (tho she knew not of him when she went in) he put his hand into her Breasts, and lifted up her Chin, and Kissed her.

(p) In regard that these Matters of Fact were not complex, or consisting of several Branches, but plain and Obvious, and so were easie to be Remembered, the Synod repelled this Exception.

Upon

Upon which she went out beneath his Arm. Whereupon he said, *Isobel, what are you fear'd for?* She likewise depones, that she saw no other Mis-carriage in Mr. Clanny. and particularly that she could give no account of his being drunk. And in regard she cannot Write, she allowed the Clerk to subscribe for her.

The *Presbytrie* of *Drumfreis* being by their own Consent, excluded from voteing in the process, relating to the *Second Suspension, &c.* And the Synod having fully heard Mr. Clanny and the said *Presbytrie*, concerning the Grounds of their foresaid *Suspension*; and they being removed, The Synod after Mature Consideration of the affair, found two things Charged upon Mr. Clanny; *Viz. Primo, Slandering* of the said *Presbytrie* in the Church of *Kirkbeen*, especially in the two First Articles contained in the *Presbyteries* Register, the which Mr. Clanny acknowledged before the Synod, tho in other words; and of which Slanders he could bring no proof, tho he was required to do it. And it being put to the vote, *Guilty of Slandering* or not? It was carryed by plurality of Votes, *That Mr. Clanny was Guilty of Slandering the Presbytrie of Drumfreis.*

The Second Ground of their Suspension was, Mr. Clanny's being *Drunk* in Adam Grinlay's House, at the time narrated in the Depositions of the said Adam and his Wife before the *Presbytrie*, and her Declaration upon Oath before this Synod; Concerning which Depositions, Mr. Clanny could bring no Relevant Objection against the Witnesses more now then formerly, tho liberty was allowed him for that effect, And it being put to the vote, whether this one Act of Drunkenness is proven or not? It was carryed by plurality of Votes, that *it was sufficiently proven.*

Anent the Depositions of *Agnes Stewart* before the *Presbytrie*, and *Janet Martin* before the Synod; the Synod by their Vote, do conclude, that altho they make not up a *legal Probation* of *Drunkenness*, yet they are a presumption (*i. e.* a direct, tho imperfect proof) of his being Drunk, when he came home from *Conbeath*, on the Fifth of August, 1696.

The Synod considering the Depositions of *Agnes Stewart*, before the *Presbytrie* of *Drumfreis*, and of *Isobel Martin* before the Synod, anent Mr. Clanny's *Kissing, handling them, or asking Kisses of them*, they by their unanimous Vote, find Mr. Clanny Guilty of *Presumptions* of *Lascivious Carriage* towards Women in the same Sense of Presumptions, as before.

The Synod considering the Depositions of Persons on the Second Article of *Kirkbeens* Lybel, together with Mr. Clanny's own Confession; they did, *nemine contradicente*, conclude him Guilty of *scandalous frequenting Ale-houses*, some times with unsuitable Company, and one time upon a Sabbath after Sermon, Witnessed by one Man.

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The Synod finds the Fifth Article, evidently proven, and Judges it Censurable, by their Unanimous Vote.

The Synod finds that Mr. *Clanny* Married *David Churrie*, and *Marion Martin* irregularly.

The Synod by their Unanimous Vore, did Conclude, that Mr. *Clanny* is guilty of *Scandalous carriage towards William Newal in Kirkbeen*.

The Synod by their Vote, find Mr. *Clanny* guilty of *too rigid dealing towards John Mitchelson in Torrerie*.

The Synod having formerly heard the Petition of *Mistris Wilson*, and what Mr. *Clanny* and she had to say on that Affair; and now taking the Matter to their serious Consideration, they find by their unanimous Vote, that he is Guilty of *Scandalous behaviour* in his meddling with the *Gleib of Cowend*, in the Year 1689.

The Synod considering the desire of the said Mrs. *Wilson*, Recommends her to the Judge Ordinary, before whom her Cause may come, to dispatch her business, because of her very necessitous Condition, in Case Mr. *Clanny* will not give her redress till he be compelled by Law: And allows the Clerk to Write her Recommendation.

The Synod taking unto their Consideration, the Affair relating to Mr. *Clanny's* alledged Adultery with *Elspet Dickson*, and having ripely considered what he alledged against her for his own Exculpation, *Viz.* That she had born *Malice* against him, and that she had been *Guilty with others*, at the time of his alledged guilt, they find that he has proven neither of these. And,

1. The Synod by their unanimous Vote, do Conclude, that the *Womans Confession*, together with her constant adherence thereto, the production of the *Certificat*, *Gold*, &c. complexly considered, are a great presumption of Mr. *Clanny's* being Guilty of *Adultery with Elspet Dickson*.

2. The Synod by their Vote, do Unanimously Conclude, that there ariseth a *pregnant presumption* of Mr. *Clanny's* Guilt with *Elspet Dickson*, from his Carriage and deportment, after the Scandal was flagrant; both before he went to *Edinburgh*, while he was there, and after he came home; and Particularly from his Letter, with an offered Oath, sent to the *Presbytrie* from *Edinburgh*, before the Process was begun, or the Woman had Confessed, and a Letter from *Kirkbeen*, ratifying the former, after he came home.

The Synod thought fit before they drew any nearer to a Conclusion of this Process, to Call upon God by Prayer for his direction and assistance therein, and therefore appointed Mr. *Robert Edgar* to Pray, ordering their Officer to Call Mr *Clanny* in; but he could not be found at that time.

Prayer being ended, and it being put to the Vote, whether the *Rest* of the Synod should *first* Vote upon all the Scandals that were proven (amongst which they did not Reacon the alledged Adultery) the Presbytrie of *Drumfreis* being removed; and then they Called in, to Vote alone upon the Scandals proven, wherein they are Judges: Or whether the *whole Synod* Should Vote First on the Scandals proven, and to be Judged by them all, and then the *rest* of the Synod, upon the whole Scandals? It was carryed by plurality of Votes, that all the Synod should *First* vote upon that which is common to them all; and that the Presbytrie of *Drumfreis* should be Removed, when the *Rest* of the Synod was to Vote upon the whole.

It being put to the Vote, whether or no the things Deponed by *Singulares Testes*, or by moe Witneffes, when yet it does not amount to a Legal Proof, should be taken into one Vote with the *Plene Probata*, as the Ground of a Sentence? It was Carried by Plurality of Votes, to take them into one.

The Synod thought fit, before they went any further in this Matter, to Call in Mr. Clanny, and Enquire, if he had any thing more to add, before they came to a Decision: Accordingly, he being Called in, and Asked as before, he said he had nothing to add; But only Desired, that they would Read a Letter sent to the Synod, Subscribed by *Kirkhouse* and the Lady *Carvens*, wherein they declared their Dislike of the Petition of the Paroch of *Kirkbeen*, and their Adherance to Mr. Clanny as their Minister. But the Synod finding it not Material to the present Purpose, thought it not necessary to consider it further; but ordered it to be kept *in Retentis*, and Desired Mr. Clanny to Remove.

The *SYNOD*, after a Full Examination of the whole Process against Mr. Hugh Clanny Minister of Kirkbeen, (excluding from this Act and Sentence, the Scandal of his *Adultery*, for which he is yet to be Tryed) having found it clear and evident, partly by his own Confession of some Articles, and partly by the Testimony of Witneffes, Deponing upon their Solemn Oath; that he is Guilty of many Grofs Immoralities, and Scandalous Practises, viz. Of Malicious Slandering of, and Lying upon the Presbytrie of *Drumfreis*; Of Drunkenness; Of Scandalous Frequenting of Ale-Houses, sometimes with Unsuitable Company, and sometime with such on the Sabbath after Sermon; As likewise, Of Marrying Persons Irregularly; of Railing upon, and Miscalling one of his Elders, in Face of the Session; Of Inhumane and Rigorous Carriage towards others; Of Unrighteous and Scandalous Intremission with the Gleib of Cowend; And Lastly, Of Filthy, Unbecoming, and Abominable Carriage with several Women, did proceed to pass Sentence thereupon; AND THEREFORE, (having observed that Method; which was former-

merely appointed, with Respect to the Manner of Voting) from their Zeal to the Glory of GOD, and Interest of Religion, by Purging this Church of all *Corrupt and Scandalous Ministers*, did, according to the Authority committed to them by the LORD JESUS CHRIST, Judge it fit to *Depose*, And hereby do *Actually Depose* the said Mr. *Hugh Clanny* Minister of *Kirkbeen*, from the Office, as well as the *Exercise* of the Ministry. And Ordains the *Presbytrie* of *Drumfreis*, to appoint one of their Number to Preach at *Kirkbeen* on Sabbath come eight days, and after Sermon, to make Publick Intimation of this their Sentence, and Declare the Kirk Vacant.

The Synod having taken to their Serious Consideration the Presumptions of *Mr. Clanny's Adultery* with *Elspet Dickson*, they Unanimously appointed the *Presbytrie* of *Drumfreis*, to Form an *Oath* as they see convenient, and Tender it to him as they think fit; And Report their Diligence to the next *Synod*. And the Synod does hereby Remit *Elspet Dickson* to the said *Presbytrie*, for such *Censure* as her Guilt requires.

Whereupon *Mr. Clanny* being Called in, and the *Sentence of Deposition*, and the Synods Appointment anent the *Oath*, being Intimat to him, and the Guilt of the *Adultery* laid Home to his Conscience; He still continued to Deny the alledged Guilt: And gave in an *Appeal* from this *Synod*, to the next Ensuing *General Assembly*, and thereupon took Instruments in the Hands of the Clerk. EXTRACTED *Forth of the Records of the said Synod*, by

PETER RAE, *Cls. Syn.*

An Appendix

Containing a Brief Reply to what is most Material in *Mr. Clanny's Defamatory Pamphlet*.

WE cannot but Justly Admire *Mr. Hugh Clanny* his Odd and Mysterious way of describing Persons and Places by the first Letters of their Name; Its true, he pretends for this his Respect to some, but why then doth he Conceal his own, and the Name of the Paroch where he was Minister,

ster, and the several Judicatories against whom he Compleans? That all concerned (at least *the Kings Majesty and His Honourable Privy Council*, to whom he takes the Confidence to Dedicate his unworthy Book) might certainly know the persons injuring and injured. There are several passages so Obscure through this manner of Writing, that we who are most Capable to understand these Particulars Narrated, are at a loss as to his meaning, and will so remain till he allow us *an Interpreter*. And how this Method is adapted to the General Design of his Vindication, and the encouraging of others to Consider and Redress his Greivances, being thus kept in the Dark, we cannot truly learn.

But passing this Labyrinth, its observeable in the Title Page, that he designs his Book by terms invidious enough, *Inquisitio Nova & inter Evangelicos haëtenus inaudita*, but much more truly it might be called *Criminatio Antiqua, & Contra Evangelicos non raro audita*, nothing being more ordinary than the opprobrious Tongue and Pen of an ill Man, when Examined and judged by his Superiors; and it will be easily Considered by all unbiassed persons, that these and the like Terms are not dropt from an impartial Pen. High and Swelling words follow, when he offers *a Demonstration, utmost of Evidence, Acts of General Councils, Statutes every where commended in this and other Kingdoms, constant Forms of Process in other Churches besides Scotland, and on every head, Testimonies of the most Learned Men that ever were in Europe*; A vain flanting Frontispiece of a Book doth it much prejudice, and only occasions the Reader to disesteem it. However, such as it is, it must be Dedicated to the *Kings Majesty, and His Honourable Privy Council*, And tho Mr. Clanny was well known to be a Ridgid Antierastian, especially in his Pulpit Discourses, yet here he finds in his Heart to use a great many fawning Expressions with respect to the power of the *Magistrat* over *Ecclesiasticks*; But perhaps, were that Coactive, Punitive, formally Politick Power, which he is at great pains to prove Lawfull, put in Execution against himself for Printing such Papers, and other enormities, he might soon detract from these Liberal Amplifications.

As to the Subject Matter of the *Book*, if we should enter upon an exact Examination of every thing it contains, it would be no less unnecessary than uneasy to our Minds, it being full of idle Repitions, Scurrilous Stories, mighty Insinuations of his Communion with God, and yet very Satyrical Expressions, which give Vent to his Passions, and if narrowly traced, might awaken ours; We incline therefore to trouble the Reader only with some few *Animadversions* on things narrated by him, with Respect to the *Processes*, and a short return to his Reproaches cast upon some Brethren. We pass his Introduction, and therein an untelligible Expression page. 9. in the close of the first Pargraph, *Before whom Isa. 40, and who Dan. 4.*

Nothing following to compleat the Sense ; which may be an escape of the Printer.

He alledges pag. 10. *That some of our own and the Neighbouring P. (We conjecture the Presbytrie of Kirkcudbright) had viis & modis contributed too much to the giving of Being and Life to that Vile Calumny (Viz. Of his alledged Adultery with Elspet Dickson)* This is a Calumny it self and the more evidently so, that he had frequent occasions to have proessed these persons for what he here Charges them with, but never moved in it ; Its easy to think it was rather matter of Ministers, their just Grief and Sorrow when it came to their Ears, than to be the first raisers of it themselves. He blames the M. of T. (our Interpretation is, the Minister of Tongland) *who sent not back that Whore to K. (i. e. Kirkbeen)* But with what Reason let any judge, seing the Rumor was going on the Minister of Kirkbeen himself ; And as unreasonably doth he inveigh against the Presbytrie of Kirkcudbright for enquiring anent the Father of the Child, she had brought forth in their Bounds.

He writes page 15. *That he Reasoned the Matter a little warmly with Mr. Paton upon his return from Edinburgh.* It was not a little, but very warmly, when Mr. Paton being in Company with Mr. John Henderson a Com-presbyter, took occasion to tell him, that he had staid too long in Edinburgh, considering the Report that was going on his Name, He Answered in great Anger, That Mr. Paton took too much upon him, to speak so to an Elder Brother. And that which stirred him the more was, that he refused to deliver up to him, without a Presbyterial appointment, the Letter containing his Oath, which he had directed to the Presbytrie.

That the Woman Confess her Guilt with him, (as he affirms ibid.) by the Threats and Fraud of Ministers, is greatly false : Indeed they told her, that she behoved to make an Ingenuous Confession of the Truth, but never mentioned his Name ; Yea, on the contrary, alledged against her, when she Named him, That either, out of Malice in her self or others, or some other Sinistrous Design, she had so spoken : To which she (a Poor Simple Creature) Replyed, No, No, Mr. Hugh will never Deny it. And let him say what he pleaseth, these who were present at that first Confession, are Conscious to themselves, with what Astonishment, and Grief of Heart, they heard her Discourse.

But he asserts, (*ibid.*) *That the Woman was provided of Meat, Drink, and Lodging by the Ministers.* Ans. She and her Child were maintained upon the Gold and Money she received from himself, as the Process bears fully. See Page 16.

But, *She should have been Threatned with Scourging, (he says) for Speaking Lyes of him.* Ans. The Blame of this likewise lyes most at his own Door, who will not Purge himself, by Oath, of that Scandal, as the Presbytrie, by
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the Synods Direction, there being Shrewd Presumptions found of his Guilt, hath appointed him: When, by his Purgation, she is made a Lyar, then it will be time to cause Scourge her.

He Appeals, *Page 16.* (In his Discourse to the People of *Kirkbeen*,) to the Consciences of his greatest Enemies, If ever they heard him Speak an Immodest Word, or Act any Thing Unbecoming a Minister; But we Appeal to himself, whether to Call *William Newal*, (one of his Elders) a *Godless Villan*, be a Decent Word, or Becoming a Minister at any time, much less on the Evening of a Fast Day, in Face of the Session, and before the Celebration of the Sacrament? And we likewise Appeal to his own Expressions, pronounced almost with the same Breath, *Page 17.* Where he Compares the alledged Slanders of his Brethren, to the *Insolent Barkings of Unmannerly Currs.*

But in the Defence of his First Appeal, He alledges, 1. *That he was never once Cited to Appear.* *Ans.* It hath been frequently told him, that we could easily have sent our Officer to his House: And, if we had been such Enemies as he pretends, we would not have omitted it; But, out of True Respect and Kindness, we thought it more convenient, to Advertise him by a Letter, That such a Woman had Charged him with Adultery, therefore he would Judge it his Interest, to appear the next Presbytrie Day: If we had sent our Officer, its more than probable, he would have Resented our Uncivil Treatment, and told us, that our Letter would have been sufficient to him; But nothing will please him, since he was Suspended, this lyes at the Root of all; Yet, if his Endeavours for Vindication, had been Proportioned to our Desires, that Suspension (which was only till he Cleared himself) might soon have been removed. He alledges, 2. *That he was Sick.* *Ans.* We had Ground not to believe that he was Sick, by what we heard from another Hand that same Morning, which we think not fit to mention. But, 3. *He was*

(*) *Mr. Vetch told him, at the Desire of the Brethren of the Presbytrie, That there was a Flagrant Report, of Elspet Dicksons being with Child, to him; And therefore, if he either Tendered the Credit of the Gospel, or his own Reputation, he would go instantly to Kirkcudbright, and Vindicate himself; notwithstanding of which, within a few Days after, he took Journey for Edinburgh.*

never once Communed with upon the Matter by the Presbytrie. *Ans.* Was he not Communed with by the Brethren of the Presbytrie three distinct times? (*) By Mr. Vetch expressly, before he went to *Edinburgh*, by Mr. *English*, when he was there, and by Mr. *Pattoun*, upon his Return Home? Let these stand for the want of three Citations to a Man, whose Office and Interest obliged him, to take greater Care of his own Vindication. 4. *He*

was Informed, that some Members of the Presbytrie were absent. Ans. The Process clears his Confest Misinformation anent this. 5. Our Presbytrie wanted Correspondents. Ans. Though they were not absolutely necessary, yet, if he had given us Notice, a Fourthnight before he came Home, to prepare them, we might have had them present. 6. He had too valid Objections against some present. Ans. But he never made good one of them, nor caused Cite one Witness for that Effect, although he was expressly appointed by the Synod to do it. 7. The Sentence is founded on the Assertion of a Strumpet. Ans. The Process, with the Marginal Remarks, shew the contrary. 8. He can adduce sundry Witnesses, of her Baseness with others, in July and August Ninty Five. Ans. It does him much Prejudice, that his great Undertakings prove so frequently Abortive; For none of these Witnesses were found Cited, or present, or so much as contained in his List given to the Officer, when that Particular was Enquired into by the Synod.

We cannot but take notice of his Mistake, Page 24. in designing the Overtures anent the method of proceeding in Ecclesiastick Judicatories, Rules prescribed by the Church of Scotland; they being no Canons obliging this Church, which we the rather observe, because he often mentions them as such, and thereby imposes upon those who know not that Matter.

Mr. Clanny asserts Page 26. Paragr. 10. That the Presbytrie of Drumfreis addressed the Magistrats first, and then the Stewart Depute for apprehending him, notwithstanding they knew that he was scarce able to come that length. The World may Judge how to believe him, by the Credible Testimonies to the Contrary (the Principles whereof are *in retentis*) which are as follows: We Under-Subscribers, Provost and Baillies, who were Magistrates of Drumfreis, Anno 1696, finding that Mr. Hugh Clanny in his late Printed Pamphlet, Confidently affirms that when he was Processed before this Presbytrie, August 26, 1696. The Magistrates of the said Burgh were by them addressed for securing him in Prison, and being desired to Testifie thereanent, We hereby declare, that according to our certain Knowledge, there was no such Address made to us by the said Presbytrie, or any others in their Name. In Witness whereof, we have Subscribed thir Presents at Drumfreis, the 11th of January 1699.

JOHN IRVING Provost.
JOHN GILCHRIST Baillie.
JOHN REID Baillie.
JOHN CORSBIE Baillie.

I John Herries, Stewart Depute within these Ten Paroches, beneath the Water of Orr, of the Stewartrie of Kircudbright, do by thir Presents Declare, That the Presbytrie of Drumfreis never Addressed me to secure the

the Person of the above Mr. *Hugh Clanny*, according as he hath mentioned in his Pamphlet above specified; and upon the desire above written, I have written and Subscribed thir Presents at *Drumfreis*, the said Eleventh day of *January* One Thousand Six Hundred Ninty and Nine.

JOHN HERREIS

THAT, We entertained him with the basest of Language, when he appeared before us (as he affirms *Page 28.*) is another falsehood: None of us called him *Achan*, But that he was convict of Lying, will be evident by the following Account. Mr. *William Vetch* being Informed, that Mr. *Clanny* did industriously spread a false Report of him in several places, viz: That he had gotten a Gift of Six Thousand Merks in this Country from the *Lords* of the *Theasaury*, he desired that Mr. *Clanny* might be Judicially Interrogat on that head; and he flatly denying that ever he spoke such a thing, Mr. *William M'millan*, a Com-Presbyter, rose up and said, *I am very sorry that I should have such an occasion of Contradicting Mr. Clanny; but what is alledged against him, is so far from being false, that he told it to myself and some others with me*: All that Mr. *Clanny* Answered to that was, *It is is so, Moderator, but it escaped my Memory.* But how he could forget that which he had told in several places, and at different times, is not easie to apprehend.

He exceedingly misrepresents us *Page 31, and 33.* As if we had pressed Witnesses to depone against him *super inquirendis*: Our method was plainly thus; after the Scandal of his alledged Adultery was Tabled, a great many of his immoral Practises which had been formerly suppressed, broke out in common discourse, and filled our Ears, some saying he had been seen Drunk in such a place; others, that he had base carriage towards Women, and that such Witnesses could depone upon it; Now was it our Duty here to make no inquiry into these things? No surely. Whereupon having discoursed with some that knew them best, we sent him a double of the Lybel with the Names of the Witnesses, as he acknowledges in his *Pamphlet, Chap. 6. Parag. 1.* These who appeared upon Citation, were Generally Shy, and unwilling to declare before the Presbytrie, what they had told in their ordinary discourse, he being a Minister whom they were to Witness against; we told them that it was their duty to Testifie the Truth when thus called to it; So at length they declared, and none of them deponed *in his absence*, but when he declined to appear, as the Process more fully bears: Now this is all our *Spanish Inquisition*, our sending through our Familiars, pressing Man and Woman to Depone *Super inquirendis*, severely Menacing them, unless they would Swear Lies, as he is pleased to Write. He abhors (he says) to
narrate

narrate the Questions we proposed to some, as if we had been altogether one Popish Priest; but did he abhorre so immodestly to Kiss Women, handle their Breasts, lift up their Cloaths, &c.? which are things much to be abhorr'd. And whether what we said, or what he did to these Women, were more like Popish Priests, is a thing too easie to require a deliberate Consideration. He is angry that his Servants were received as Witnesses; but this is none of the best Defences of his alledged innocency.

His saying, Page, 44. That the Presbytrie in their Visitation of his Paroch knew the danger his Wife was in (they had heard indeed the Grief she was under for him, but nothing as to the time of her delivery) and caused the Report go, that they designed violently to thrust her out of the Manse, not considering that they should thereby expose their Necks to the Gallows; with other such Stuff; are partly so false and absurd, partly so bantering, that the very repeating them were a sufficient Answer. But we meet with a most Unchristian Passage, Page 45. That he caused bury his Child at the Right hand of the Kirk Door, where Arbigland entered, that there her Blood might cry for Vengeance against him and his Complices; Oh! Is this like the Language of one who hath so much Communion with God as he pretends to? And is not he who writes at such a Rate, rather an Object of our tender Compassion, than severe Confutation?

After the Catalogue of his Books ready (as he says) for the Press, Page 56. some of which are against Owen and Turretin (who were very fit men to be his Masters) and after the account of his great labours in the Church at home and elsewhere (and he was the more employed, that few others were in the Presbytrie) He infers, let the World judge what time he had to spend in Alehouses. But we Answer, let these with whom he kept most Company in Drumfries, Newabbay Town, Kirkbeen and Mains-Milm, Judge, and be humbled for what time they sinfully spent with him in Alehouses there.

*He affirms, Page 58. That Margaret Bridge was drunk, to the observation of all in the Synod (and in another Paper since, that Mr. Patoun Confest so much to himself; to which Mr. Patoun says, that is as false as the rest of his former mistakes) yet they took her sworn contrary to what her Husband and she had deponed August 26, 1696: But the rational account that Woman gave of the meaning of her former words, of his expressions and Carriage at the time mentioned in her Deposition, being the *causa scientiae* why she judged him Drunk, is a Convincing Argument, that she was then sober. He Objects likewise, that Andrew Bridge (a Godly Man) offered to Depone there was no such thing as she swore. *Ans.* That Man is indeed of a good Character, and therefore deserves the better to be believed; But he doth altogether deny Mr. Clanny's Assertion, and Testifies the same by a line under his Hand, the words whereof are (the Principal being *in retentis*)*

Parentis) as follows; R. Sir, as to your second (*viz.* demand) If I offered to Depone before the Synod, that Margaret Bridge Swore wrong, it is a gross untruth, for the Witnesses themselves do declare, that I had not been there (i. e. in that Country, to which the Womans Oath relates) for a quarter of a Year before; by Sir
your Humble Servant,
ANDREW BRIDGE

That the Answers given to his scruples, anent the Oath with Conditional Imprecations, tendered to him, were nonsense as he alledges Page 68) is so improbable, thar he hath never yet ventured to make a Reply to them, and indeed it exceeds his Power to do it effectually, as the Records of the Synod do abundantly Testifie. Instead of a Reply, he gave in to the Presbytrie a very impious Paper, wherein (in a most passionat Style) he Cited the Presbytrie and Synod of *Drumfreis*, to appear before the Tribunal of Gods fierce Justice.

He Commends the late Lord President, Page 74, as very learned and many ways truely famous; This is the only Recantation we find in all his Book, of his former Errors; for we have it fresh in our Memories, what Infamy he laboured to cast upon him, since his Death, at one of our Meetings, and that with great heat and Passion against Brethren who opposed his Idle Banter.

We have designedly pretermitted his multiplyed quotations of Authors, whereby he makes a great ostentation of his Learning, or at least his reading of the *Fathers* and other great Men: But it is in Vain to shew Scholars, that a Man may have a hundred Testimonies out of Authors he never read or saw, and yet make use of them as if he had perused them all; And these Authorities he adduces, are either frequently miscited, or impertinently to his purpose alledged; so that it were as needless to Subject them to a strict examination, as it would be easie for us (without much Reading) to make the same or other Answers, vvith greater strength of Reason, recoil upon himself.

We shall only in a few sober words, tho his be bitter and many, Vindicate our Names from the Calumnious Aspersions which he hath pleased to cast upon some of us, and to blaze abroad which (we apprehend) was one main design of his Pamphlet. The most of his envennom'd Arrows are shot against Mr. *Patoun*; Who Answers, That he intends not to give Railing for Railing, esteeming himself unworthie of so good a Character, as to have such a large share in his Reproaches; But that which picques him Cheifly at Mr. *Patoun*, seem to be. 1. Because of all the Brethren of the Presbytrie, he was best acquainted with his way. 2. By advice of others he took occasion to tell him freely how Offensive his Conversation was in this place, by frequenting Ale-houses, and sometimes with none of the best
Com-

Company. 3. Because he was Moderator when he was staged before the Presbytrie and Synod, and so had more occasion, while he discharged his Duty, either to provoke GOD, or irritat Him. What he Writes of his Lecture at *Kirkbeen*, *since his Soul was refreshed with the most part of it* (as he affirms) he might have forbore his Reflections on a few words, which he did not so well relish. And to please him compleatly, if possible, Mr. Patoun let him know, that he did not of purpose pass over the true meaning of that Verse, he remarks, which by comparing the Translation with the Original, is very easie to be understood. That Mr. Patoun studied Gravity like Annanias; and his designing himself Moderator, might have affrighted Mr. Clanny as a Hobgoblin; That he cannot tell what a Categorick Syllogisme means; That the whole Synod observed that he spoke a gross untruth, &c. Are such eruptions of a weak Spirit, that he forbears to spend Answers on them at large. Whereas he asserts, that T. H. says (why durst he not tell the Mans full Name?) That he had thrice perjured himself already; He resolves to take another course with him for this Criminal Accusation. Mr. Clanny forges a story, anent his telling Mr. Paton of David and Uriah, that day before his Child died; and that the Child was Hurried into Eternity before Day in a fearful manner as ever a poor Babe, (When his Sickness was common to many Children, and he died quietly, a good while after day.) And that his House taking Fire was with difficulty quenched (when it was only in the Chimney, and quickly extinguished) And that he Threatned to frame an Oath, which if Mr. Clanny took, would damn his Soul to all Eternity (whereas he never made such an impious boast) Are all of them invidious Calumnies, which Mr. Clanny ought to think shame of.

When he writes in these Terms, Of his Carriage with his Servant Woman *elsewhere*. He Answers, That as Mr. Clanny hath been Synodically Rebuked for such an Insinuation already (as the process bears) so he defyes his Malice on that Head, or any other by the Grace of GOD: For he ever esteemed it an unbecoming thing to a Laik, and much more a Minister to Kiss his Servant Women, either in Kindness or Courtesie, as Mr. Clanny's Women judicially declared he did to them. What he writes of his Transportation to *Drumfreis*, is materially true, but on his part Invidious.

He cannot forbear to joyn Mr. Patons Wife with himself in his abusive Expressions: Mr. Paton will not be so Vain as to call her upon every occasion his Godly Wife, as some do; Her Vertues and his Vices are both known: Only he might have given her more Discreet Epithets, unless he designed the Reader should believe him to be more Passionat then Serious. What he says of her Parents, is a gross Falsehood as many in *Drumfreis* can Testify; Her Father Baillie Murehead a Merchant here from his youth, and who died in *Leith* Prison for refusing the Test, was a Man of so much

much Wisdom, Solid Piety, and great usefulness, as obliges all who knew him to respect his Children upon his account: So that it is Admirable how Mr. Clanny can without *Blushing*, attempt to Disparage a Person, whose Memory is so Precious; But he doth well to confirm his own Assertion. Page 76. *That even the Grave is not an impregnable shade against a Calumniators Tongue.*

As for what he says Pag. 44. Chap. 10. Of Mr. Vetch, *his beginning his Sermon at the Visitation of Kirkbeen with a Notorious Lye*; telling that they were come there at the Invitation of the Paroch, while (as he asserts) not one of the Ancient Heritors, Inhabitants, or Elders knew anything thereof; Is so Notorious an Untruth, that both the Records of the Presbytrie, and the persons Addressing them for that Effect, can Witness the contrary: And what is asserted in that paragraph anent the Visitation, is nothing else but a *heap of Untruths*, as all that were present will Testify; And all his other Hints and Reflections against Mr. Vetch, are *ejusdem farinae*, stuff of the same stamp, not worth Answering. And truly, if Mr. Clanny were as well known in other places of the Land, as in this Corner, his Pamphlet needed no Refutation.

As to what he says of Mr. Mulligane, Page 72. *That the Synod past by, or Connived at him, (a Notorious Dissembler, as he is pleased to call him) when he Registrated in the Synod Book, a Sentence against his Bill, before ever it was Synodically Read.* Mr. Mulligane Answers, that this is a most false and unjust Charge, both against the Reverend Synod and him; For, he never caused Minut any Sentence against him, all the time of the Synod, either in *October* or *December* following, but what was really Concluded by them; Neither was the Reverend Synod Guilty of that Injustice, of passing any Sentence against any Paper or Bill of his, till they were not only Synodically Read, but Maturely Considered.

And whereas he calls him a *Notorious Dissembler*, He Answers, 1. Mr. Clanny should have Endeavoured, in Private, to Convict him of such a Fault, according to CHRISTs Rule, *Matth. 18.* Or, if he thought not himself obliged, to Treat so Bad a Person, with so much Gentleness and Charity, he might have Staged him, by a Legal Process, before some Church Judicatory, ere he had Branded him with such a Crime in Print. But, 2. It seems he had better Thoughts of him, at the Beginning of the Meeting of the Synod in *December* Ninety Six, *when he was content, he should be one of the few Brethren, whom he desired to Commune with him.* 3. Since he calls him a *Notorious Dissembler*, his Diffimulation must have been Notour to these that knew him, either before that Synod in *December* 1696, or since; But he can, with the greatest Freedom and Boldness, Appeal to all Ministers, and others who *Saw* him, as to the Falshood of this Accusation:

sation: And as no Rational Person, that either knows Mr. *Hugh Clanny*, or Attentively Considers his Pamphlet, will easily believe such things meerly upon his Testimony; So, albeit he is Conscious to himself of many Failings and Faults, for which he desires to Walk Humbly with GOD, Yet his Conscience bears him Witness, that his Practice was with all *Candor* and *Ingenuity* at the Synod in *October* and *December* 1696, as it hath been both before and since that time.

And whereas Mr. *Clanny*, Page 76. &c. Citing something that Mr. *Mulligane* Wrote, in Answer to his Scruples, (where it is evident, he misrepresents his Words) doth call him, *Our New Problematick Divine*; He Answers, as he thinks not himself worthy of so High and Honourable a Title, as that of a *Divine*, being taken in its strict and proper Sense, so he neither is, nor ever was a *Problematick* Person; but was always as *Dogmatical*, in Asserting and Maintaining the Truths of GOD, according to his Capacity, in Comprehending them, as a Man in Reason ought to be. And while he adds, *That he never had any other Principle, but to Sail and Dissemble with every Wind and Time*; He must tell him, that this was neither his Principle nor Practice: But his great Principle was, to use the best Means and Methods, which he then knew, to come to the Knowledge of the Truth, and to Walk and Act according to his Light; But, if what he says of him, had been true, he might have been in as Considerable and Lucrative a Station, Sixteen Years ago, as either Mr. *Clanny* or he, hath been in as yet.

As to what he Writes of Mr. *William English* a Youth, (as he is pleased to call him, Page 30.) He Answers for himself, That, albeit he desired him, if Guilty, to Confess his Sin to the Glory of GOD, and his own Shame; Yet indeed he never called him *Achan*. That Mr. *Clanny* Accuses him of *Presumptuous Arrogance, Pride, and Monstruous Ingratitude*; He leaves his Vindication from these, to such as are best acquaint with them both. Mr. *Clanny* further Affirms, that he ~~was~~ *was* in Mr. *English*, (whom he is pleased to Design, *This Poor Creature*) upon his own Earnest Request, to the Bounds of *Drumfreis* Presbytrie; Insinuating as much, as that he had been very Destitute elsewhere. To this he Answers, that the Presbytrie of *Drumfreis* can Testifie, with how much Reluctancy in himself, and Intreaty from them, he was Settled in their Bounds, and what Pressing Invitations he had from other Parts. That he helped Mr. *English* to a Maintainance of 1400 Merks per Annum, is false, it being then but 700, until, by his own Industry, it was brough near to 1300. That he kept him *gratis* in his Family, (which was but a few Transient Nights, and is a thing ordinary for Ministers to do to Probationers) and that he Lent him Money out of his Pocket, (which was only Two Dollers, to save the Change of a Guinee) are things very mean; And to mention them in the manner he doth, is no great

great Evidence of a *Generous Temper*. For all which Detractions, (altho Mr. Clanny did already tell him, that he had no need of his Prayers, yet) he Beggs him Repentance and Pardon from a Merciful GOD.

As for the Calumnious, and Revengeful Expressions of his Imbittered Spirit against *Adam Craik* of *Arbigland*, and whereby he spares not to Defame his Deceased Father, who had done Mr. Clanny many good Offices; *Arbigland* Answers in short, That these are only the Product of that same Malicious Temper, he discovers against the fore-mentioned Ministers, whom he hath the Honour to be Ranked amongst: And it ill becomes a Minister, presumed Guilty of Adultery, and Deposed for other Gross Scandals, to Charge his Parochioner with Immoralities, (*Nam turpe est Doctori cum Culpa Redarguit ipsum*) especially one who was never so much as Staged before a Kirk Session, when Mr. Clanny (his Lying Accuser) hath been Staged by his Session, before both Presbytrie and Synod, and hath Twice Declined Tryal before the General Assembly. And what Good Man will believe such a Common Lyar, and who is upon the Brink of being Excommunicat, for his Villanies, and his Refusal to Purge himself of his alledged Adultery.

By this time the World may Judge Mr. Clannys Character, and Consequently whether his bold Assertions, or the Records of the Synod and Presbytrie of *Drumfreis* ought to be more regarded. If he be not a person who, to *Vindicate and Magnify himself*, takes very much pains to *Disparage and Vilify others*; who boasts of his near Communion with GOD, being now and then admitted to come near to his Seat, and to fill his Mouth with Arguments; And yet in the midst of these, pretended sweet Experiences doth most passionately Cite his Brethren to appear before his Tribunal, and defiles his Pen and Paper with Railing Accusations, against his Brethren, and compares them to unmannerly Currs. One who offers a Vindication, which yet hath in it such evident Testimonies of Pride, Vain-glory, Lying, and Malice, as, tho he were Guilty of nothing else, merits his Disposition; If he be not one who appears to have small or no Impression of the Hand of God upon him, so as to render him Humble and Tender in his sight; One who esteems others Ignorant Men, and yet by the Measures which he hath taken, declares himself Defective, even in ordinary Wisdom; One whose Conversation through the whole Course of his Ministry, was observed to have a Tendency to what is now become the matter of our great Grief; And Finally, who being thus Righteously deserted of the LORD, gives a new warning to all Gospel Ministers to be *cloathed with Humility*. 1. Pet. 5. 5. *Not to be high minded. but to fear,* Rom. 11. 20. *To flee youthful Lusts, and follow after Righteousness, Faith, Love, Patience, fighting the good fight of Faith.* 1 Tim. 6. 11, 12. *And that they study to be blameless, as the Stewards of God, not Self-willed, not soon Angry, not given to Wine, no Strikers, not given to filthy Lucre,* Tit. 1. 7.

POSTSCRIPT.

NOT to trouble the Reader with a tedious *Relation* of what hath past in our Judicatories anent Mr. *Clanny*, and what method he has taken hitherto, from the time of his Deposition (which are contained at large in our Records) we shall deduce the whole into these few particulars. *Primo*, Notwithstanding he had appealed from the Synod to the next ensuing *General Assembly*, Anno 1697, yet he never appeared to prosecute his Appeal; albeit the Clerk had at his desire Extracted his whole Process, and signified by a Line, that he should have it upon demand. *Secundo*, the Presbytrie by appointment of the Synod offered him on Oath of Purgation of his presumed Adultery with *Elspet Dicksons*, with conditional imprecations in it. He proposed scruples against that form of Oath which were *Answered* by appointment of the Synod, to their Satisfaction. And yet so far from his, that in a large Paper given in to the Presbytrie, he Summoned the Synod and Presbytrie to compear before the Tribunal of Gods Justice, as hath been said, and Appealed to the General Assembly 1698. But did not Prosecute that Appeal more than the former. *Tertio*, The Synod having referred that part of his Process, which had respect to the foresaid Form of Oath to the said Assembly; who leaving the Consideration thereof to the Reverend *Commission*, they transmitted a Coppy of it to the Synod, with their *Emendations*, yet so as the same conditional Imprecations were continued; this draught being sent to Mr. *Clanny*, and he Thrice Cited to appear before the Presbytrie, He neither came himself, nor sent any Excuse of his Absence: Whereupon, being declared *Contumacious*, the Presbytrie (at the Synods Direction) entered a Process of *Excommunication* against him, which is yet in dependence. *Quarto*, Mr *Clanny* having had no hope, as it would appear, of obtaining his desire from the Assembly, repaired to *London*, (notwithstanding of his Wifes dangerous Sickness, which he pretends as the Reason of his Excuse for not attending the General Assembly, in Prosecution of his Appeal) to Address the Kings Majesty (as he gave out) and brought home his Scurrilous Pamphlet. Having been deprived of Access to the King, he took the Confidence to Print an *Address* to the last Session of this Current Parliament: And that Honourable Court disregarding it, he Applied to the Reverend *Commission*, and not prevailing there, his last Effort hath been to Summon our Presbytrie, to Appear before the *Commissars* of *Edinburgh*, the 26th and last Days of *January* 1699, for the *First* and *Second* Dyets, having lately Summoned the Witnesses in *Kirkbeen* Paroch, who had Deponed against him before

A Brief Reply, &c.

fore the Synod, to Appear before the foresaid *Commissars*, but to no effect. Whether he will go next, we know not; but wish that the Lord may, in his singular Mercy, prevent him with Sincere *Repentance* for, and *Reformation* of his *Scandalous Errors*.

If Mr. Clanny will be at the Trouble, to make a Reply to what we have Written; It is Intreated, that in the first place, he would Acknowledge the *Falshoods*, which are so clearly Demonstrat against him; And, if he shall only Repeat what he hath formerly said, or give us *Passionat Railry*, instead of Sound Reason, he may know, that we will Save our selves the Trouble, of Using our Pens any further on this Deplorable Subject.

F I N I S.
